



The Study Meeting of the West Valley City Council will be held on Tuesday, May 10, 2016, at 4:30 PM, in the Multi-Purpose Room, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted May 5, 2016, 1:00 PM

A G E N D A

1. Call to Order
2. Roll Call
3. Approval of Minutes:
 - A. April 26, 2016
4. Review Agendas for Council Regular Meeting and Special Meetings of the Redevelopment Agency, Housing Authority, and Building Authority of May 10, 2016
5. Public Hearings Scheduled For May 17, 2016
 - A. Accept Public Input Regarding Community Development Block Grant (CDBG) Annual Action Plan and Budget Proposal of Recommended Projects for FY 2016-2017

Action: Consider Resolution 16-78, Approve the West Valley City Community Development Block Grant (CDBG) Budget Proposal on Recommended Projects for FY 2016-2017

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.

- B. Accept Public Input Regarding Application S-8-2016, Filed by Elizabeth Hunt, Representing Maverik Inc, Requesting Final Plat Approval for The Maverik Gates Avenue Subdivision Located at 7200 West Gates Avenue

Action: Consider Ordinance 16-18, Approving the Amendment of Lots 1-3 in Block 1, East Magna Plat A Subdivision Located at 7200 West Gates Avenue

- C. Accept Public Input Regarding Application S-9-2016, Filed by Derek Gasser, Requesting Final Plat Approval for the Shoppes at Lake Park Phase 2- Lot 2A Amended Subdivision Located at 2927 South 5600 West

Action: Consider Ordinance 16-19, Approving the Amendment of Lot 2A of the Shoppes at Lake Park Phase 2 Subdivision Located at Approximately 2927 South 5600 West

- D. Accept Public Input Regarding Application Z-2-2016, Filed by Ken Milne, Requesting a Zone Change from 'A' (Agriculture) to 'RE' (Residential Estate) On Property Located at 3702 South 6400 West

Action: Consider Ordinance 16-20, Amending the Zoning Map to Show a Change of Zone for Property Located at 3702 South 6400 West from Zone 'A' (Agriculture) to 'RE' (Residential Estate)

Action: Consider Resolution 16-79, Authorizing the City to Enter into a Development Agreement with Arcadia Properties LLC for Approximately 25.36 Acres of Property Located at 3702 South 6400 West

- E. Accept Public Input Regarding Application GPZ-3-2015, Filed by Joe Colosimo, Requesting a General Plan Change from Non-Retail Commercial to Medium Density Residential and a Zone Change from 'A' (Agriculture) to 'RM'

(Residential Multi-Family) On Property Located at 4500 South Constitution Boulevard (2700 West)

Action: Consider Ordinance 16-21, Amending the General Plan to Show a Change of Land Use from Non-Retail Commercial to Medium Density Residential for Property Located at 4500 South Constitution Boulevard (2700 West)

Action: Consider Ordinance 16-22, Amending the Zoning Map to Show a Change of Zone for Property Located at 4500 South Constitution Boulevard (2700 West) from Zone 'A' (Agriculture) to Zone 'RM' (Residential Multi-Family)

Action: Consider Resolution 16-80, Authorizing the City to Enter Into a Development Agreement with Macky Farms, LLC for Approximately 15.6 Acres of Property Located at 4500 South Constitution Boulevard (2700 West)

6. Resolutions:

- A. 16-81: Set Forth and Reaffirm West Valley City's Commitment to Fight Housing Insecurity and Homelessness
- B. 16-82: Approve an Amendment to a Parking Easement Agreement with Pristine Alpine Entertainment LLC Releasing a Portion of the Easement Identified as Easement 5 General Parking Area at the USANA Amphitheatre Located At Approximately 5168 South Upper Ridge Road

7. Communications:

- A. West Valley Fiber Update (15 Min)
- B. Council Update
- C. Potential Future Agenda Items

8. New Business:
 - A. Council Reports
9. Motion for Executive Session
10. Adjourn

MINUTES OF COUNCIL STUDY MEETING – APRIL 26, 2016

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THE WEST VALLEY CITY COUNCIL MET IN STUDY SESSION ON TUESDAY, APRIL 26, 2016, AT 4:30 P.M. IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER AND CONDUCTED BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Don Christensen, Councilmember At-Large
Lars Nordfelt, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3 (Arrived as noted)
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/CED Director
Eric Bunderson, City Attorney
Jim Welch, Finance Director
Lee Russo, Police Chief
John Evans, Fire Chief
Layne Morris, CPD Director
Russell Willardson, Public Works Director
Kevin Astill, Parks and Recreation Director
Sam Johnson, Strategic Communications Director
Jake Arslanian, Public Works Department
Andrew Wallentine, Administration
Nicholas Vella, Public Works Department
Curtis Gregory, Public Works Department
Sione Taufu, Public Works Department
CR Partington, CED Department
Glenna Evans, CED Department
David Janes, Law Department
Julia Colton, CED Department
Robert Spencer, Parks and Recreation Department
Abbey Morris, Finance Department
Derek Jensen, Administration

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1. APPROVAL OF MINUTES OF STUDY MEETING HELD APRIL 12, 2016

The Council read and considered Minutes of the Study Meeting held April 12, 2016. There were no changes, corrections or deletions.

Councilmember Christensen moved to approve the Minutes of the Study Meeting held April 12, 2016. Councilmember Buhler seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

Councilmember Lang arrived at the meeting at 4:31 P.M.

2. INTRODUCTION OF NEW EMPLOYEES

Upon recognition by Mayor Bigelow new employees in attendance introduced themselves to members of the City Council. The Council had previously received a list of new employees as follows:

Community Preservation Department:

Julia Colton, Animal Shelter Dispatcher
Madeline Ramos, Elig. & Spec. Housing Program Coordinator
Glenna Evans, Animal Control Officer

Law Department:

David Jaynes, Attorney I

Parks and Recreation Department:

Robert Spencer, Mowing Crew Leader I

Public Works Department:

Curtis Gregory, Operator I
Sione Taufu, Operator I
Nicholas Vella, Operator I
Davide Englebrecht, Operator I

IT:

Kelson Maxfield, Systems Administrator

Finance Department:

Abigail Morris, Executive Administrative Assistant

Members of the City Council welcomed the new employees to employment with West Valley City.

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3. **REVIEW AGENDA FOR REGULAR MEETING SCHEDULED APRIL 26, 2016**

Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council regarding items listed on the Agenda for the Regular Council Meeting scheduled later this night.

4. **AWARDS, CEREMONIES AND PROCLAMATIONS SCHEDULED MAY 3, 2016**

A. **EMPLOYEE OF THE MONTH AWARD, MAY 2016 – MERARI LOPEZ, LAW DEPARTMENT**

Councilmember Vincent offered to read the nomination of Merari Lopez, Law Department, to receive the Employee of the Month Award for May 2016, at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M. Ms. Lopez, a Victim Advocate, had been nominated for her assistance to a victim in arranging for a voucher to assist the victim in obtaining clothing and other items for herself and a baby.

5. **RESOLUTION NO. 16-65, AUTHORIZING AMENDING THE CONTRACT WITH TASER INTERNATIONAL FOR PARTICIPATION IN TASER'S OFFICER SAFETY PLAN, TO PROVIDE UNLIMITED STORAGE CAPACITY FOR ALL DIGITAL DATA AND EVIDENCE AS WELL AS THE PURCHASE OF 190 TASERS AT A DISCOUNTED PRICE**

Lee Russo, Police Chief, discussed proposed Resolution No. 16-65 that would authorize amending the contract with Taser International for participation in Taser's Officer Safety Plan, to provide unlimited storage capacity for all digital data and evidence as well as the purchase of 190 Tasers at a discounted price.

Written documentation previously provided to the City Council included information as follows:

The Police Department had need to equip its officers with conducted energy weapons, commonly called Tasers. The Department also needed to increase the storage capacity for digital images recorded on officers' body-worn cameras. The most economical way to meet both needs would be to participate in Taser's Officer Safety Plan that would cost \$914,580.00 over the next four years.

Taser was a sole course provider of conducted energy weapons. The Police Department was already under contract with Taser for its body-worn cameras and digital data storage, as approved by the City Council in Resolution No. 14-194. Taser would amend the current contract by prorating this new plan into the remaining four years of the existing contract. While the listed total cost of the program would be \$914,580.00 over the next four years, the actual cost above the current commitment to Taser would be in the amount of \$321,336.32 over the next four years. Annual cost of the program would be broken down as follows:

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Year 1	\$126,095.00
Year 2	\$262,728.00
Year 3	\$262,728.00
Year 4	\$262,728.00

Subtotal:	\$914,279.00
Shipping:	<u>\$ 301.32</u>
Total:	\$914,580.32

Mayor Bigelow inquired if the federal grant money being provided was given to the City over a specific amount of time or if the City must apply for it regularly.

Chief Russo informed the money was given as part of a lump sum and no reapplication would be required.

Upon further inquiry, the Police Chief advised the monies had been used in the past for extra traffic enforcement related to drunk driving and education. He stated this would be continued but it was proposed that some money would be utilized to pay for the contract with Taser International.

Councilmember Buhler inquired regarding how often Tasers were used.

Chief Russo advised that use of the Taser device had started to decline as more people recognized the device when displayed by an officer. He added the use of body cams had provided greater levels of compliance and also decreased injuries to suspects and officers.

The City Council will consider proposed Resolution No. 16-65 at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M.

6. **RESOLUTION NO. 16-66, APPROVING AN INTERLOCAL CONTRACT FOR COOPERATIVE PURCHASING BETWEEN WEST VALLEY CITY AND HOUSTON-GALVESTON AREA COUNCIL**

Public Works Director, Russell Willardson, discussed proposed Resolution No. 16-66 that would approve an Interlocal Contract for Cooperative Purchasing between West Valley City and Houston-Galveston Area Council (HGAC).

Written documentation previously provided to the City Council included information as follows:

The proposed agreement would permit West Valley City to procure necessary goods and services through the Houston-Galveston Area Council cooperative purchasing process.

Governmental entities were permitted to affiliate with one another in order to obtain

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collective pricing and service benefits in the procurement process. The Houston-Galveston Area Council was a significant governmental purchasing cooperative based in Houston, Texas. It was anticipated the City might be able to obtain more favorable purchase terms on certain goods and services by affiliating with the HGAC. Membership would be free of charge and could be terminated at any time. The City would not be obligated to purchase any items through HGAC or to pay any fees or surcharges on purchases through HGAC.

Upon inquiry by Councilmember Christensen regarding competing bids, the Public Works Director advised competitive bidding would take place and be conducted by the Houston-Galveston Area Council.

Upon further inquiry, the Public Works Director advised the City would not be required to enter into any other similar agreements.

The City Council will consider proposed Resolution No. 16-66 at the Regular Council Meeting scheduled April 3, 2016, at 6:30 P.M.

7. **RESOLUTION NO. 16-67, AUTHORIZING THE CITY TO ENTER INTO A REIMBURSEMENT AGREEMENT WITH RAR INVESTMENTS FOR STORM DRAIN IMPROVEMENTS**

Russell Willardson, Public Works Director, discussed proposed Resolution No. 16-67 that would authorize the City to enter into a Reimbursement Agreement with RAR Investments in the amount of \$30,450.00 for storm drain improvements.

Written documentation previously provided to the City Council included information as follows:

The subject Reimbursement Agreement would be for storm drain improvements associated with the Mountain West Truck Center Project.

Development of the Mountain West Truck Center Project at 7114 West SR-201 North Frontage Road necessitated the piping of an existing ditch. The ditch conveyed water from the south side of SR-201 to the north, and was part of a system that drained a portion of the northwest area of the City. This system was considered to be part of an Intermediate Drainage System Facility that was eligible for reimbursement under Title 18.

Under the proposed agreement the City would reimburse RAR Investments for the excess capacity required to drain the additional areas through the project. Approximately 700 feet of 24-inch pipe would be installed.

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Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council.

The City Council will consider proposed Resolution No. 16-67 at the Regular Council Meeting scheduled April 3, 2016, at 6:30 P.M.

8. **RESOLUTION NO. 16-68, AUTHORIZING THE EXECUTION AND RECORDING OF A DELAY AGREEMENT BETWEEN WEST VALLEY CITY AND RAR INVESTMENTS, LLC. FOR PROPERTY LOCATED AT 7114 WEST SR-201 NORTH FRONTAGE ROAD**

Public Works Director, Russell Willardson, discussed proposed Resolution No. 16-68 that would authorize the execution and recording of a Delay Agreement between West Valley City and RAR Investments, LLC. For property located at 7114 West SR-201 North Frontage Road.

Written documentation previously provided to the City Council included information as follows:

Development of the subject property required RAR Investments to install curb and gutter, roadway and sidewalk improvements, and the proposed agreement would defer the developer's responsibility to construct the improvements to a later date.

RAR Investments had requested the delay of construction of off-site improvements for the Mountain West Truck Center Project improvements that included installation of curb, gutter, sidewalk and asphalt tie-in to the existing roadway.

The Public Works Department recommended delay of the improvement installations due to the flat terrain in the area and installation of the curb and gutter would cause drainage problems.

In the event that curb and gutter would become feasible and necessary, as determined by the City, the property owner would be required to install the roadway improvements.

Upon inquiry by Mayor Bigelow, the Public Works Director explained the ditch in the area had always existed and that installing curb, gutter and sidewalk would cause problems with drainage. Therefore the City was suggesting a delay agreement to virtually waive the ordinance requirement. Mr. Willardson also stated this would likely be a permanent delay.

Councilmember Vincent pointed out the lack of foot traffic in the subject area would seem to mitigate the need for a sidewalk.

Mayor Bigelow inquired regarding how often something like this had happened in the

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past.

The Public Works Director advised this situation did not happen very often with an occurrence of approximately six times over the last ten years.

Upon inquiry by Councilmember Lang regarding why the City had difficulty enforcing delay agreements, Mr. Willardson advised there were various factors that occurred when enforcing certain delay agreements, most particularly residential agreements, and were related to cost.

The City Council and City staff discussed drainage and challenges in the subject area.

The City Council will consider proposed Resolution No. 16-68 at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M.

9. **CONSENT AGENDA SCHEDULED MAY 3, 2016**

A. **RESOLUTION NO. 16-69, AUTHORIZING THE CITY TO ACCEPT A WARRANTY DEED, STORM DRAIN EASEMENT AND AN INGRESS, EGRESS AND ACCESS EASEMENT WITH BOYD ENTERPRISES UTAH, LLC, FROM AND ACROSS PROPERTIES LOCATED AT 2242 SOUTH AND 2195 SOUTH PRESIDENTS DRIVE (15-20-101-024 AND 15-20-102-002)**

Mayor Bigelow discussed proposed Resolution No. 16-69 that would authorize the City to accept a Warranty Deed, Storm Drain Easement, and an Ingress, Egress and Access Easement with Boyd Enterprises Utah, LLC, from and across properties located at 2242 South and 2195 South Presidents Drive (15-20-101-024 and 15-20-102-002).

Written documentation previously provided to the City Council included information as follows:

Boyd Enterprises Utah, LLC had signed a Warranty Deed, Storm Drain Easement, and an Ingress, Egress and Access Easement. Boyd Enterprises was the owner and developer of the Presidential Business Center Phases IV and V. As a condition of approval for development on Lots 401 and 501, conveyance of additional right-of-way at been required at the corners of Presidents Drive and the SR-201 South Frontage Road. Storm drain easements across Lots 401 and 501 were also required, along with an Ingress, Egress and Access Easement.

Upon inquiry, there were no further questions or concerns regarding the proposal.

The City Council will consider proposed Resolution No. 16-69 at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M.

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B. RESOLUTION NO. 16-70, AUTHORIZING THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM AKLESH KUMAR FOR PROPERTY LOCATED AT 3015 WEST LEHMAN AVENUE (PARCEL 15-33-105-012)

Mayor Bigelow discussed proposed Resolution No. 16-70 that would authorize the City to accept a Grant of Temporary Construction Easement from Aklesh Kumar for property located at 3015 West Lehman Avenue (Parcel 15-33-105-012).

Written documentation previously provided to the City Council included information as follows:

Aklesh Kumar had signed a Grant of Temporary Construction Easement for property located at 3015 W. Lehman Avenue.

The Aklesh parcel was one of the properties affected by the Fairbourne Station Phase 2 Project. The project would include construction of 3030 West Street between 3500 South and Lehman Avenue, along with reconstruction of a portion of Lehman Avenue. Compensation would be in the amount of \$350.00. As the cost of an appraisal would likely exceed the actual value of the easements being acquired, compensation had been based on a range of rates used by other entities for similar small acquisitions.

Upon inquiry, there were no further questions or concerns from members of the City Council.

The City Council will consider proposed Resolution No. 16-70 at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M.

C. RESOLUTION NO. 16-71, AUTHORIZING THE CITY TO ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM PHILLIP W. LUCAS FOR PROPERTY LOCATED AT 3040 WEST LEHMAN AVENUE (PARCEL 15-33-104-010)

Mayor Bigelow discussed proposed Resolution No. 16-71 that would authorize the City to accept a Grant of Temporary Construction Easement from Phillip W. Lucas for property located at 3040 West Lehman Avenue (Parcel 15-33-104-010).

Written documentation previously provided to the City Council included information as follows:

Phillip W. Lucas had signed a Grant of Temporary Construction Easement for property located at 3040 W. Lehman Avenue.

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The Lucas parcel was one of the properties affected by the Fairbourne Station Phase 2 Project. The project would include construction of 3030 West Street between 3500 South and Lehman Avenue, along with reconstruction of a portion of Lehman Avenue. Compensation for the easement would be in the amount of \$350.00. As the cost of an appraisal would likely exceed the actual value of the easement being acquired, compensation had been based on a range of rates used by other entities for similar small acquisitions.

Upon inquiry by Mayor Bigelow there were no further questions or concerns from members of the City Council.

The City Council will consider proposed Resolution No. 16-71 at the Regular Council Meeting scheduled May 3, 2016, at 6:30 P.M.

10. **NEW BUSINESS SCHEDULED MAY 3, 2016**

A. **CITY MANAGER SUBMIT FY2016-2017 PROPOSED BUDGET**

City Manager, Wayne Pyle, advised he would submit the fiscal year 2016-2017 Proposed Budget at the Regular Meeting scheduled May 3, 2016.

Mr. Pyle reviewed changes encompassed in this year's proposed budget and recommended the City Council have several policy discussions regarding budget matters.

The City Council briefly discussed personnel matters, hiring and recruitment, taxes, and other issues.

Councilmember Christensen expressed concern regarding retention and recruitment of police officers and discussed perceptions of West Valley City by its residents.

11. **COMMUNICATIONS**

A. **GRANGER-HUNTER IMPROVEMENT DISTRICT PRESENTATION**

Clint Jensen, Granger-Hunter Improvement District, presented and discussed information using PowerPoint, summarized as follows:

- What's New at GHID (Granger-Hunter Improvement District)
 - New Assistant General Manager/Chief Administrative Officer appointed in September 2015
 - New Assistant General Manager/Chief Operating Officer appointed this month; replaced Wayne Watts retiring on May 1st with 31+ years of service
 - A new look...

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- What keeps us up at night
 - Started as financial problem - City not able to effectively update or replace existing infrastructure. To save money the utility contracted with KWA (Karegnondi Water Authority) to purchase water
 - KWA project not complete so City relied on its back-up source, Flint River, which was treated with chlorine. The previous water supply (provided by Detroit Water and Sewer Dept.) was treated with orthophosphate, which essentially coated the interior of the pipe that help contain the lead
 - Chlorine is corrosive to iron and lead – material used widely in the Flint water system
 - Some argue that by adding phosphorus to the water the crisis may have been avoided – costing approximately \$50,000 per year
 - GHID is not Flint – So what are we doing?
 - Our system is younger and no lead in pipelines
 - We test for lead. Every three years testing is done at the tap. Last testing was completed in 2014. Trace amount was detected but well below the limit. Any detectable amounts are likely due to in-house plumbing
 - We have an aggressive infrastructure replacement program
 - We test for several contaminants – all the time. Annually we prepare a water quality report that lists contaminants and tested levels
 - Not without our own water quality problems
 - Groundwater sources (wells) have traces of manganese and iron
 - Stability in winter, spring flows create disturbance
 - Flushing program
 - Aging infrastructure – we are doing a good job at this but there is always room for improvement
 - Central Valley Water Reclamation Facility (CVWRF)
 - GHID owns 22% of the CVWRF; shared ownership between five districts and two cities
 - Plant is 35 years old and in need of repair; estimates as high as \$150 million over the next 20 years – no federal money available to help
 - Changes in regulations – nutrient removal (nitrogen and phosphorus) may cost an additional \$150 - \$200 million in the next ten years
 - Water Supply: 20% - 25% of water sold comes from our own sources; water quality issues are becoming a bigger challenge
 - Financial Viability:

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- Jordan Valley Water Conservancy District (JVWCD)
 - ✓ We purchase 75% - 80% of our water from JVWCD
 - ✓ JVWCD rates increase 5% per year
 - ✓ 1990 water rate from JVWCD was \$132 per acre foot (325,000 gallons); Current rate is \$499 per acre foot and project to be \$814 by 2015
 - ✓ CVWRF costs impact our budget
- Utilities, personnel, insurance, capital improvements, technology, etc.
- Water conservation dilemma – we have reduced per capita water use by 25% since 2000 (240 gpd to 180 gpd)
- Stakeholder Understanding and Support
 - Legislature: Sewer lateral notifications, tiered water rate structure, State retirement changes, elections property tax authority, impact fees, etc.
 - Water reuse and/or secondary systems
 - Security vs. transparency

Councilmember Vincent inquired if a secondary water system could be created in certain areas of the City if agreements could be made with the Canal Company or private property owners who were subdividing their existing lots.

Mr. Jensen informed this would be difficult since many owners did not wish to share or sell their water rights.

The City Council members discussed treated water, water shares, and water quality.

B. VETERANS' HALL DISCUSSION

Mayor Bigelow discussed information included in a PowerPoint presentation, summarized as follows:

- Veterans Hall Foundation, 501c3 Charitable Organization to honor all Utah Veterans
- Mission Statement: To honor all Utah Veterans by building and operating a Veterans Memorial Building and a World War II Memorial Park
- Renderings of Veterans Memorial Hall to include an Exhibit Hall, Meeting Hall and Offices
- Memorial Hall (first floor) to include first floor monument and statues, plaques and pictures for all Utah Veterans. (Second floor balcony overlooking monument)
- Exhibit Hall (first floor)
- Meeting Hall (second floor) for events and activities to honor Veterans;

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educational activities with schools; support activities for veterans' jobs, housing, and other

- Additional information regarding the Library of Congress, Honor Wall (Utah Military Combat Deaths)
- Memorial Building Summary:
 - Memorial Hall – for contemplation
 - Exhibit Hall – traveling and shared exhibits
 - Meeting Hall – Veterans' groups and organizations
 - Honor Wall – All Utah military combat deaths
 - Veterans History Project site
 - Programs for veterans – housing, jobs, education and other services
 - Education programs – public schools
- World War II Memorial Parks (photographs: St George, Utah; Washington, D.C.; Cedar City, Utah; Salt Lake City, Utah)
 - Honor tower
 - Flagpole
 - Waterfall
 - Walking path
 - Reflecting pool
 - Various monuments
 - Benches for contemplation
 - Arches symbolizing counties
 - Flowering cherry trees
 - Quaking aspen trees
- List of Salt Lake County and Community Supporters, City Mayors, State Legislators
- How to support the Veterans Project

Upon inquiry, Mayor Bigelow advised the amount of acreage needed for the project would depend on the site. He stated if Centennial Park were used, parking currently existed so less acreage would be needed.

The City Council discussed the Centennial Park location and debated whether the Veterans Hall Memorial would “make sense” with other uses in the Park.

Councilmember Vincent asked if other mayors and cities had contributed funding and Mayor Bigelow advised some had contributed.

C. **REVIEW DRAFT AGENDAS FOR REDEVELOPMENT AGENCY, HOUSING AUTHORITY AND BUILDING AUTHORITY MEETINGS SCHEDULED MAY 3, 2016**

City Manager, Wayne Pyle, stated he would submit the Proposed Budget for FY2016-2017 at the Regular Meetings of the Redevelopment Agency, Housing

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Authority and Building Authority scheduled May 3, 2016.

D. COUNCIL UPDATE

Mayor Bigelow referenced a Memorandum previously received from the City Manager that outlined upcoming meetings and events as follows:

April

April 26, 2016
Tuesday

RDA, HA, and BA Meetings CANCELED

April 27, 2016
Wednesday

Salt Lake Home Builders Association, 12:00 PM-
1:30 PM- Mountain America Credit Union- Tanner
Auditorium, 7167 Center Park Drive West Jordan

May

May 3, 2016
Tuesday

Municipal Stormwater in Utah: Enforcement
Trends, Compliance Challenges, and Practical
Solutions, 8:00 AM- 10:00 AM- Holland & Hart, 222
South Main Street, Suite 2200, Salt Lake City

May 3, 2016
Tuesday

RDA, HA, and BA Meetings Scheduled

May 5, 2016
Thursday

UDOT Annual Visit with County and Cities, 9 A.M.-
11 A.M.- Calvin Rampton Complex (1st floor),
4501 South 2700 West

May 7, 2016
Saturday

Big Ass Show/ Death Cab for Cutie, 4:00 PM-
USANA Amphitheatre, 5125 South 6400 West

May 10, 2016
Tuesday

Special RDA, HA, and BA Meetings Scheduled

May 12, 2016
Thursday

Youth Arts Festival, 5:00 P.M.-6:30 P.M.-
Fairbourne Station, 2900 West Lehman Ave

May 14, 2016
Saturday

Fire Ops 101, 7:00 AM- 3:00 PM- Stansbury
Elementary School, 3050 South 2700 West

May 18, 2016
Wednesday

Harman Heritage Series- Drops in a Bucket & Other
Songs, 1:00 P.M.- 2:00 P.M. - Harman Senior
Recreation Center, 4090 South 3600 West

May 19, 2016
Thursday

My Place Economy Extended Stay Grand Opening,
11:00 AM to 2:00 PM- 3074 Decker Lake Drive

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May 20, 2016 Friday	Free Movies in the Park (Movie: Turbo), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
May 24, 2016 Tuesday	Silent Hero Breakfast, 8:00 AM- 9:30 AM- Granite Education Foundation, 2500 S State Street- Five Story Building Room #D102
May 26, 2016 Thursday	Summer at the Station Concert
May 30, 2016 Monday	Memorial Day Holiday- City Hall Closed
May 31, 2016	No City Council Meetings- 5 th Tuesday
<u>June</u>	
June 3, 2016 Friday	Free Movies in the Park (Movie: Bee Movie), Starts at Dusk (Approx. 9:30 PM)- Fairbourne Station, 2900 West Lehman Ave
June 7, 2016 Tuesday	RDA, HA, and BA Meetings Scheduled
June 9, 2016 Thursday	Summer at the Station Concert
June 9, 2016 Thursday	Slipknot with Marilyn Manson, 6:30 PM- USANA Amphitheatre, 5125 South 6400 West
June 13, 2016 – June 24, 2016 Thursday- Sunday	WestFest- Centennial Park, 5405 West 3100 South
June 14, 2016 Tuesday	Steely Dan/Steve Winwood, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
June 15, 2016 Wednesday	Harman Heritage Series- Art Alive! Stories Behind the Art, 1:00 P.M.- 2:00 P.M. - Harman Senior Recreation Center, 4090 South 3600 West
June 17, 2016 Friday	Free Movies in the Park (Movie: TBD), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
June 23, 2016	Summer at the Station Concert

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Thursday

June 24, 2016
Friday

Jason Aldean, 7:30 PM- USANA Amphitheatre,
5125 South 6400 West

June 25, 2016
Saturday

Boston, 7:30 PM, USANA Amphitheatre, 5125
South 6400 West

June 30, 2016 –
July 4, 2016

Traveling Vietnam Memorial Replica “The Healing
Wall”- Location TBD

July

July 4, 2016
Monday

Independence Day Holiday- City Hall Closed

July 7, 2016
Thursday

Summer at the Station Concert

July 8, 2016
Friday

Free Movies in the Park (Movie: Madagascar 3),
Starts at Dusk (Approx. 9:30 PM)- Fairbourne
Station, 2900 West Lehman Ave

July 9, 2016
Saturday

Bret Michaels, 4:00 PM- USANA Amphitheatre,
5125 South 6400 west

July 10, 2016
Sunday

G-Eazy “Endless Summer Tour”, 6:30 PM- USANA
Amphitheatre, 5125 South 6400 West

July 16, 2016
Saturday

The Piano Guys, 7:30 PM- USANA Amphitheatre,
5125 South 6400 West

July 20, 2016
Wednesday

Korn & Rob Zombie, 7:30 PM- USANA
Amphitheatre, 5125 South 6400 West

July 21, 2016
Thursday

Keith Urban feat. Brett Eldredge, 7:30 PM- USANA
Amphitheatre, 5125 South 6400 West

July 21, 2016
Thursday

Summer at the Station Concert

July 25, 2016
Monday

Pioneer Day Holiday- City Hall Closed

July 26, 2016
Tuesday

Weezer/ Panic at the Disco, 7:00 PM- USANA
Amphitheatre, 5125 South 6400 West

MINUTES OF COUNCIL STUDY MEETING – APRIL 26, 2016

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July 29, 2016 Friday	Florida Georgia Line, 7:00 PM- USANA Amphitheatre, 5125 South 5400 West
July 29, 2016 Friday	Free Movies in the Park (Movie: Rio), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
<u>August</u>	
August 2, 2016 Tuesday	National Night Out/ No City Council Meetings
August 4, 2016 Thursday	Summer at the Station Concert
August 12, 2016 Friday	Free Movies in the Park (Movie: Kung Fu Panda 3), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
August 18, 2016 Thursday	Summer at the Station Concert
August 20, 2016 Saturday	Josh Groban with Special Guest Sarah McLachlan, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West
August 21, 2016 Sunday	Journey and The Doobie Brothers, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
August 26, 2016 Friday	5 Seconds of Summer, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
August 27, 2016 Saturday	Lynyrd Skynyrd, 8:00 PM- USANA Amphitheatre, 5125 South 6400 West
August 29, 2016 Monday	Heart, Cheap Trick, and Joan Jett, 6:30 PM- USANA Amphitheatre, 5125 South 6400 West
August 30, 2016	No Council Meetings- 5 th Tuesday
<u>September</u>	
September 2, 2016 Friday	The Dixie Chicks, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
September 5, 2016 Monday	Labor Day Holiday- City Hall Closed

MINUTES OF COUNCIL STUDY MEETING – APRIL 26, 2016

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September 11, 2016 Sunday	Black Sabbath, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West
September 16, 2016 Friday	Def Leppard with REO Speed Wagon and Tesla, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
September 17, 2016 Saturday	Dirks Bentley, TBD- USANA Amphitheatre, 5125 South 6400 West
September 30, 2016 Friday	Luke Bryan, 5:00 PM- USANA Amphitheatre, 5125 South 6400 West
<u>October</u> October 1, 2016 Saturday	Luke Bryan, 5:00 PM- USANA Amphitheatre, 5125 South 6400 West
October 4, 2016 Tuesday	RDA, HA, and BA Meetings Scheduled
October 13, 2016 Thursday	Brantley Gilbert, TBD- USANA Amphitheatre, 5125 South 6400 West
<u>November</u> November 11, 2016 Friday	Veteran's Day Holiday
November 24, 2016 Thursday	Thanksgiving Holiday- City Hall Closed
November 29, 2016	No Council Meetings- 5 th Tuesday
<u>December</u> December 27, 2016	No Council Meetings- Christmas

E. **POTENTIAL FUTURE AGENDA ITEMS**

City Recorder, Nichole Camac, advised July 1st to July 7th was Local Independents Week that supported locally owned businesses, and asked if the City Council desired to review a proclamation for that event.

After discussion, the City Recorder was instructed to schedule the aforementioned proclamation on the Council's agenda.

Councilmember Christensen stated he recently met with an individual who utilized interactive council meeting software. He indicated the software was not operational yet and still in testing phases. He also stated he would like to

MINUTES OF COUNCIL STUDY MEETING – APRIL 26, 2016

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download the app to see how it functioned and perhaps invite a presenter to display the program to the City Council.

After discussion and concurrence, other City Council members indicated such a presentation would be inappropriate and the City could find other ways to interact with the public during Council meetings; different methods could be evaluated.

12. COUNCIL REPORTS

A. COUNCILMEMBER STEVE VINCENT – EARTH DAY EVENT

Councilmember Vincent stated he felt the Earth Day event had been successful and congratulated City staff on their efforts in that regard.

B. COUNCILMEMBER DON CHRISTENSEN – COPS FOR KIDS EVENT AT SIZZLER

Councilmember Christensen stated the Cops for Kids event recently held at Sizzler had been a successful event.

13. MOTION FOR EXECUTIVE SESSION

Councilmember Christensen moved to adjourn and reconvene in an Executive Session for discussion of disposition of real property. Councilmember Buhler seconded the motion.

A voice vote was taken and all members voted in favor of the motion.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL THE STUDY MEETING OF TUESDAY, APRIL 26, 2016, WAS ADJOURNED AT 6:06 P.M. BY MAYOR BIGELOW.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Study Meeting of the West Valley City Council held Tuesday, April 26, 2016.

Nichole Camac
City Recorder

MINUTES OF COUNCIL STUDY MEETING – APRIL 26, 2016

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THE WEST VALLEY CITY COUNCIL RECONVENED IN EXECUTIVE SESSION ON TUESDAY, APRIL 26, 2016, AT 6:12 P.M., IN THE MULTI-PURPOSE ROOM, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR BIGELOW.

THE FOLLOWING MEMBERS WERE PRESENT:

Ron Bigelow, Mayor
Lars Nordfelt, Councilmember At-Large
Don Christensen, Councilmember At-Large
Tom Huynh, Councilmember District 1
Steve Buhler, Councilmember District 2
Karen Lang, Councilmember District 3
Steve Vincent, Councilmember District 4

STAFF PRESENT:

Wayne Pyle, City Manager
Nichole Camac, City Recorder

Paul Isaac, Assistant City Manager/HR Director
Nicole Cottle, Assistant City Manager/HR Director
Eric Bunderson, City Attorney

The City Council met in Executive Session and discussed disposition of real property.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE EXECUTIVE SESSION OF APRIL 26, 2016, WAS ADJOURNED AT 6:18 P.M. BY MAYOR BIGELOW.

Nichole Camac
City Recorder



The Regular Meeting of the West Valley City Council will be held on Tuesday, May 10, 2016, at 6:30 PM, in the City Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted May 5, 2016 at 1:00 PM

A G E N D A

1. Call to Order
2. Roll Call
3. Opening Ceremony: Councilmember Tom Huynh
4. Special Recognitions
5. Approval of Minutes:
 - A. April 26, 2016
6. Comment Period:

(The comment period is limited to 30 minutes. Any person wishing to comment shall limit their comments to five minutes. Any person wishing to comment during the comment period shall request recognition by the Mayor. Upon recognition, the citizen shall approach the microphone. All comments shall be directed to the Mayor. No person addressing the City Council during the comment period shall be allowed to comment more than once during that comment period. Speakers should not expect any debate with the Mayor, City Council or City Staff; however, the Mayor, City Council or City Staff may respond within the 30-minute period.)

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.

- A. Public Comments
- B. City Manager Comments
- C. City Council Comments

7. Ordinances:

- A. 16-17: Amend Sections 16-1-101, 16-2-101, 16-4-101, 16-5-101, 16-11-101, 16-12-101, 16-13-101, and 16-14-101 and Enact Section 16-15-101 of Title 16 of the West Valley City Municipal Code to Adopt the 2014 and 2015 Editions of the International Codes

8. Resolutions:

- A. 16-72: Support the Efforts of the West Valley City Youth City Council to Educate the City's Youth Concerning the Hazards of Electronic Cigarettes
- B. 16-73: Authorize the City to Enter into a First Amendment to the Theatre Sublease Agreement with Hale Centre Theatre for Use of the Hale Centre Theatre Facility
- C. 16-74: Award a Contract to Layton Construction to Complete the Basement of the Utah Cultural Celebration Center Located at 1355 West 3100 South
- D. 16-75: Approve an Agreement Between West Valley City and the Utah Transit Authority for the Rerouting of Bus Rapid Transit Service in Fairbourne Station
- E. 16-76: Authorize and Approve the Execution and Delivery of a Master Lease Agreement by and Between the City and the Municipal Building Authority of West Valley City, Utah ("The Authority") and a Ground Lease Agreement; Authorize the Issuance and Sale by the Authority of Its Lease Revenue and Refunding Bonds, Series 2016, in the Aggregate Principal Amount of Not More Than \$36,000,000; and Related Matters

- F. 16-77: Adopt a Tentative Budget for the Fiscal Year Commencing July 1, 2016 and Ending June 30, 2017; and Setting August 9, 2016 as the Date for Public Hearing
- 9. Motion for Executive Session
- 10. Adjourn



A Special Meeting of the West Valley City Redevelopment Agency will be held on Tuesday, May 10, 2016, at 6:30 PM, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted May 5, 2016, 1:00 PM

A G E N D A

1. Call to Order- Chair Steve Buhler
2. Roll Call
3. Resolutions:
 - A. 16-08: Authorize the Execution of an Amendment to the Agreement for Disposition of Land for Private Development (A.D.L.) with Fairbourne Real Estate Investors, LLC to Grant an Easement to Granger-Hunter Improvement District and Authorize the Redevelopment Agency to Construct Additional Improvements
 - B. 16-09: Adopt a Tentative Budget and Set Forth Proposed Appropriations for the Support of the Redevelopment Agency for the Fiscal Year Commencing July 1, 2016 and Ending June 30, 2017; and Set June 7, 2016 as the Date for Public Hearing
4. Adjourn

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.



WEST VALLEY CITY HOUSING AUTHORITY
3600 CONSTITUTION BOULEVARD
WEST VALLEY CITY, UTAH 84119

LARS NORDFELT, CHAIR
STEVE VINCENT, VICE CHAIR

A Special Meeting of the West Valley City Housing Authority will be held on Tuesday, May 10, 2016, at 6:30 PM, or as soon thereafter as the Redevelopment Agency Meeting is completed, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted May 5, 2016, 1:00 PM

A G E N D A

1. Call to Order- Chair Lars Nordfelt
2. Opening Ceremony
3. Roll Call
4. Resolutions:
 - A. 16-02: Adopt a Tentative Budget for the Support of the Housing Authority for the Fiscal Year Commencing July 1, 2016 and Ending June 30, 2017; and Set June 7, 2016 as the Date for Public Hearing
5. Adjourn

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.



WEST VALLEY CITY MUNICIPAL BUILDING AUTHORITY
3600 CONSTITUTION BOULEVARD
WEST VALLEY CITY, UTAH 84119

DON CHRISTENSEN, CHAIR
KAREN LANG, VICE CHAIR

A Special Meeting of the West Valley City Municipal Building Authority will be held on Tuesday, May 10, 2016, at 6:30 PM, or as soon thereafter as the City Council Meeting is completed, in the Council Chambers, West Valley City Hall, 3600 Constitution Boulevard, West Valley City, Utah. Members of the press and public are invited to attend.

Posted May 5, 2016, 1:00 PM

A G E N D A

1. Call to Order- Chair Don Christensen
2. Opening Ceremony
3. Roll Call
4. Resolutions:
 - A. 16-02: Authorize the Issuance and Sale of Not More Than \$36,000,000 Aggregate Principal Amount of Lease Revenue and Refunding Bonds, Series 2016; and Related Matters
 - B. 16-03: Adopt a Tentative Budget and Set Forth Proposed Appropriations for the Support of the Building Authority for the Fiscal Year Commencing July 1, 2016 and Ending June 30, 2017; and Set June 7, 2016 as the Date for Public Hearing
5. Adjourn

- West Valley City does not discriminate on the basis of race, color, national origin, gender, religion, age or disability in employment or the provision of services.
- If you are planning to attend this public meeting and, due to a disability, need assistance in understanding or participating in the meeting, please notify the City eight or more hours in advance of the meeting and we will try to provide whatever assistance may be required. The person to contact for assistance is Nichole Camac.

Item:
Fiscal Impact: \$1,279,710
Funding Source: CDBG & P.I.
Account #: 60-6081-40750
Budget Opening Required: Yes

ISSUE:

Approve the West Valley City Community Development Block Grant (CDBG) Annual Action Plan and budget proposal on recommended Projects for Fiscal Year 2016-2017.

SYNOPSIS:

Each year West Valley City receives grant funds from the U.S. Department of Housing and Urban Development (HUD) through the CDBG program and HOME funds in partnership with the Salt Lake County Consortium. Before HUD will approve any CDBG expenditures we must have an approved Annual Action Plan describing our goals for the CDBG and HOME programs and a budget listing the projects we intend to fund with CDBG for the 2016-2017 fiscal year. We have created an Annual Action Plan and budget proposal that meets the goals and federal guidelines of these funds. The City has made its Annual Action Plan and budget proposal available for public review and a public hearing will be held on May 17, 2016 at 6:30 p.m. in the West Valley City Council Chambers, to allow for public comment.

BACKGROUND:

The Community Development Block Grant (CDBG) and Salt Lake County HOME programs fund West Valley City with annual amounts to run various programs pertaining to Low-Moderate income individuals and families. Estimated CDBG Program Income (PI) generated from the CDBG Home Rehabilitation Program paybacks, will be approximately \$66,480. PI offsets the funds allocated to West Valley City CDBG program from HUD and must be reinvested into the CDBG program's eligible projects. The Public Service projects and the Administration costs are capped by HUD, with no more than 15% of the total allocation being to Public Services projects and 20% going toward Administration and operating expenses.

West Valley City has a CDBG Committee in place, which currently has 7 members consisting of both knowledgeable staff and West Valley City residents, as directed by HUD. The Committee goes through an extensive process and each member dedicated over 10 hours to hearing individual agencies present their projects/programs, interviewing the agencies, tracking past performance and meeting to discuss funding requests. These recommendations presented to City Council are those that, by vote of the CDBG Committee members, ranked highest and that the Committee members feel will be most impactful to residents, making the best use of funds received, staying in line with both the City's 5-year Consolidated Plan goals and HUD's direction.

RECOMMENDATION:

Approve the attached Resolution

SUBMITTED BY:

Heather Royall

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION APPROVING THE WEST VALLEY CITY
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
BUDGET PROPOSAL ON RECOMMENDED PROJECTS FOR
FISCAL YEAR 2016-2017.**

WHEREAS, under state and federal law West Valley City has the authority to execute a Community Development and Housing Program; and

WHEREAS, West Valley City has established certain community priorities and desires to undertake specific Community Development Block Grant (CDBG) funded programs within the City for the budget year 2016-2017; and

WHEREAS, the City has created a CDBG budget proposal on Recommended Projects for Fiscal Year 2016-2017 for the use of these funds, a copy of which is attached to this Resolution; and

WHEREAS, the City held a public hearing and received public input regarding the above referenced recommended projects and budget proposals; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the West Valley City Community Development Block Grant Budget Proposal on Recommended Projects for FY 2016-2017.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, State of Utah, that the attached West Valley City Community Development Block Grant Budget Proposal on Recommended Projects for FY 2016-2017 is hereby approved.

PASSED, APPROVED, and MADE EFFECTIVE this _____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

West Valley City Community Development Block Grant Recommended Projects FY 2016-2017

2016-2017 CDBG Allocated funds	\$1,213,230
Program Income estimation (not yet received)	\$66,480

Total Budget Proposal	\$1,279,710
------------------------------	--------------------

		Funding Request	Recommended Funding
Neighborhoods 2015-2016			
1	West Valley City Community Preservation - Code Enforcement	\$138,120	\$138,120
2	West Valley City Down Payment Assistance	\$40,000	\$40,000
3	West Valley City Home Rehabilitation Programs (All)	\$200,000	\$200,000
4	West Valley City Home Facelift Program/Idea Houses - with CDCU	\$150,000	\$150,000
5	Family Support Center - WVC Facility updates	\$12,740	\$12,740
6	Odyssey House - HVAC update	\$8,860	\$8,860
7	South Valley Sanctuary - Shelter Repairs	\$10,000	\$10,000
8	Refugee & Immigrant Center (Asian Assoc.) - Energy Bldg. Project	\$11,360	\$11,360
TOTAL		\$571,080	\$571,080
Other Activities 2015-2016			
1	Section 108 Loan- Harvey Street	\$284,000	\$284,000
TOTAL		\$284,000	\$284,000
Public Services (15% Cap) 2015-2016			
1	West Valley City Family Fitness Center - Scholarships/Sponsorship	\$6,000.00	\$6,000
2	West Valley City Victim Services - DV assistance	\$12,000	\$12,000
3	West Valley City P.D. - Community Services Division (CDBG Officers)	\$60,000	\$60,000
4	Salt Lake Community Action Program - Redwood Food Pantry	\$6,500	\$6,500
5	West Valley City Neighborhood Services - Neigh. Watch/NNO	\$12,000	\$12,000
6	South Valley Sanctuary - Domestic Violence Shelter	\$15,000	\$15,000
7	United Way 2-1-1	\$10,000.00	\$10,000
8	Family Support Center - Crisis Nursery	\$10,000	\$8,500
9	Big Brothers Big Sisters of Utah - Youth Mentoring Program	\$3,000	\$3,000
10	Legal Aid Society - Domestic Violence Victim Assistance	\$10,000	\$8,000
11	People Helping People - Employment Program	\$5,120	\$4,096
12	YWCA - Women in Jeopardy Program	\$10,000	\$8,000
13	West Valley City UCCC - Economic Develop. Event (University Mash-up)	\$10,000	\$8,000
14	Helping Hands/The Haven - Sober Living Program	\$10,000	\$8,000
15	English Skills Learning Center - ESL & Citizenship programs	\$12,000	\$6,444
16	The Road Home - Resource Center/Community Shelter	\$12,000	\$6,444
TOTAL		\$203,620	\$181,984
Administrative Costs (20% Cap) 2015-2016			
1	Administrative Costs	\$242,646	\$242,646
TOTAL		\$242,646	\$242,646
GRAND TOTAL		\$1,301,346	\$1,279,710

ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D

ISSUE:

S-8-2016 – Maverik Gates Avenue Subdivision

SYNOPSIS:

Applicant: Elizabeth Hunt – Maverik Inc.
Proposal: Final Plat Approval
Location: 7200 West Gates Avenue
Lots: 2
Acres: 3.78

BACKGROUND:

Elizabeth Hunt, representing Maverik Inc., is requesting final subdivision approval for the Maverik Gates Avenue Subdivision. The proposed subdivision will amend lots 1-3 in Block 1, of the East Magna Plat A Subdivision. This is a commercial subdivision consisting of 3.78 acres in the Manufacturing zone having an address of 7200 West Gates Avenue.

The subdivision is being proposed to consolidate and reconfigure lots 1-3 in Block 1 of the East Magna Plat A Subdivision. The resulting action will create 2 new developable lots. Maverik Inc. is proposing to build a new store on lot 1 of this subdivision. Lot 2 will develop in the future as either a commercial and/or industrial use. Lot 1 is approximately 2.9 acres in size and will be the location of the future Maverik store. Lot 2 is approximately .77 acres in size and is expected to develop with either a commercial or industrial use in the future.

The primary business access for both lots will be gained from Gates Avenue. A second temporary access for lot 1 has been granted at the northwest corner but will be limited to right in and right out movements. The applicant will be dedicating portions of property along 7200 West and Gates Avenue. Formal improvements are lacking on both streets, but will be installed as development applications are submitted.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman, Current Planning Manager

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

**AN ORDINANCE APPROVING THE AMENDMENT OF LOTS 1-3
IN BLOCK 1, EAST MAGNA PLAT A SUBDIVISION LOCATED
IN WEST VALLEY CITY UTAH.**

WHEREAS, the City is in receipt of petition S-8-2016, proposing an amendment to lots 1-3 in Block 1 of the East Magna Plat A Subdivision located at approximately 7200 West Gates Avenue; and

WHEREAS, the purpose for the application is to consolidate these lots to create a 2 lot subdivision for future commercial uses; and

WHEREAS, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

WHEREAS, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

NOW THEREFORE, BE IT ORDAINED by the City Council of West Valley City, State of Utah, as follows:

Section 1. The amendment to lots 1-3 in Block 1 of the East Magna Plat A Subdivision located at approximately 7200 West Gates Avenue and as shown in Petition No. S-8-2016, is hereby approved.

Section 2. This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

Section 3. The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

Section 4. This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this _____ day of _____ 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

S-8-2016

**Maverik Gates Avenue Subdivision – Amending lots 1-3 in Block 1 East Magna Plat A.
7200 West Gates Avenue
M Zone
2 Lots**

BACKGROUND

Todd Meyers, representing Maverik Inc., is requesting preliminary and final subdivision approval for the Maverik Gates Avenue Subdivision. The proposed subdivision will also amend lots 1-3 in Block 1, of the East Magna Plat A Subdivision. This is a commercial subdivision consisting of 3.78 acres in the Manufacturing zone having an address of 7200 West Gates Avenue.

ISSUES:

The subdivision is being proposed to consolidate and reconfigure lots 1-3 in Block 1 of the East Magna Plat A Subdivision. The resulting action will create 2 new developable lots. Maverik Inc. is proposing to build a new store on lot 1 of this subdivision. Lot 2 will develop in the future as either a commercial and/or industrial use. Lot 1 is approximately 2.9 acres in size and will be the location of the future Maverik store. Lot 2 is approximately .77 acres in size and is expected to develop with either a commercial or industrial use in the future.

The primary business access for both lots will be gained from Gates Avenue. A second temporary access for lot 1 has been granted at the northwest corner but will be limited to right in and right out movements. The applicant will be dedicating portions of property along 7200 West and Gates Avenue. Formal improvements are lacking on both streets, but will be installed as development applications are submitted.

Because this application is a commercial subdivision, staff and agency comments will be addressed as part of the permitted use application for the new Maverik store. The subdivision plat will contain easements and other information applicable to the division of property.

STAFF ALTERNATIVES:

1. Approve the Maverik Gates Avenue Subdivision and the amendment to lots 1-3 in Block 1, East Magna Plat A Subdivision subject to a resolution of staff and agency concerns.
1. Continue the application to address concerns raised during the Planning Commission

hearing.

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Applicant:

Applicant:

Elizabeth Hunt, Maverik employee
185 South State Street
Salt Lake City, UT

Discussion: Elizabeth Hunt said Maverik wants to consolidate the existing parcels and create two lots. Commissioner Matheson asked if the outside storage on the property has been cleaned up. Steve Lehman said there is a building existing on the adjacent lot that is not part of the subdivision. The property owned by Maverik will be cleaned up as part of the site development. Commissioner Tupou asked if there is access for the larger tractor trailer fueling station. Steve Lehman said there will be a second access located on Gates Ave.

Jack Nielson, 2450 South 7200 West, owns the building surrounded by the property being purchased by Maverik. He operates an electric motor rewind shop that overhauls generators from the Glen Canyon Dam. Jack Nielson stated that he is in support of Maverik, but is concerned that diesels driving around his building to get to the fuel stations may damage his building. He would like to have impact posts installed to protect the corners of his building. He would also like a sliding gate installed so that he can have emergency access to his west door. Jack Nielson said the land to the north could possibly be wetland. The pussy willows that grow there indicate it has a high water table. Jack Nielson suggested that the fuel ports/tanks be moved to a space that has already been compacted.

Jack Nielson said he previously planned on purchasing the land west of his building. He installed a door on the west side of his building so he could have access to the property. His building is about 10' from the west property line.

Jack Nielson said he previously owned the land that Maverik is going to build on. He sold it to Senator Stuart Adams with the knowledge that Senator Adams was going to buy Jack Nielson's current lot three months after purchasing the original lot. That never came to fruition, so Jack Nielson was in the process of suing Senator Adams to fulfill the contract. Jack Nielson said he contacted Mark Nord, Manager of Redevelopment for the City. At that time Mark Nord entered into a contract with Jack Nielson to purchase his land for \$307,000. Jack Nielson said, after a year and a half,

Mark Nord backed out of the deal. A year later Jack Nielson decided to build a new building at a cost of \$150,000.

West Valley City Planning Commission

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Mark Nord contacted Jack Nielson a week after the prefab building parts were laying on the ground in pieces. Jack Nielson said he and Mark Nord came to an understanding that either Mark Nord would buy the property at a reasonable cost, or he was going to build. After negotiations, they agreed to a property swap. Jack Nielson was going to take the property to the east and Mark Nord was going to take Jack Nielson's property, but Mark Nord wanted an additional \$200,000. Jack Nielson said Mark Nord's brother showed up to purchase the property through a holding company. Jack Nielson said that Senator Stuart Adams put a block on him through UDOT, which he says is all documented. Jack Nielson feels there is insider trading going on at the City. He said he will make an appointment with the City Council to discuss the problem.

Steve Lehman acknowledged the development of the property will be reviewed by staff and the engineering office regarding wetlands and vehicular access. The traffic engineer will evaluate the turning movements of the diesel trucks around Jack Nielson's building. If there are wetlands on the site, a determination will need to be made as to whether they are jurisdictional or not. There are ways to mitigate wetlands through wetland banking. However, all these issues are irrelevant to the subdivision that is being reviewed today. These other issues are more subject to the site plan review. The subject today is to divide the property into two lots.

Motion: Commissioner Woodruff moved to approve S-8-2016.

Commissioner McEwen seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous – S-8-2016 - Approved

S-8-2016 Petition by **TODD MEYERS**, representing Maverik Inc., requesting **preliminary and final plat approval** for The Maverik Gates Avenue Subdivision. The subdivision plat will amend lots 1-3 in Block 1 of the East Magna Plat A Subdivision. The new subdivision will consist of two lots on 3.75 acres, is zoned M (Manufacturing) and is located at 2450 South 7200 West. (Staff - **Steve Lehman** at 801-963-3311)



S-8-2016 Petition by **TODD MEYERS**, representing Maverik Inc., requesting **preliminary and final plat approval** for The Maverik Gates Avenue Subdivision. The subdivision plat will amend lots 1-3 in Block 1 of the East Magna Plat A Subdivision. The new subdivision will consist of two lots on 3.75 acres, is zoned M (Manufacturing) and is located at 2450 South 7200 West. (Staff - **Steve Lehman** at 801-963-3311)



ITEM#: _____
FISCAL IMPACT: _____
FUNDING SOURCE: _____
ACCOUNT #: _____
BUDGET OPENING REQ'D

ISSUE:

S-9-2016 – Shoppes at Lake Park Phase 2 – Lot 2A Amended

SYNOPSIS:

Applicant: Derek Gasser
Proposal: Final Plat Approval
Location: 2927 South 5600 West
Zoning: C-2

BACKGROUND:

Derek Gasser, is requesting a plat amendment for lot 2A of the Shoppes at Lake Park Phase 2 Subdivision. The purpose for the amendment is to create two lots from the existing amended lot.

The Shoppes at Lake Park Phase 2 Subdivision was recorded with the Salt Lake County Recorder's Office in June 2007. In April 2012, lots 2 and 3 were amended by consolidating them into one lot known as lot 2A.

The property owner has expressed a desire to re-subdivide this property to allow one or both portions of the existing building to be sold independent of each other. In order to do so, the property will once again comprise 2 lots. However, the configuration of the lot line will be north/south, whereas the original property line was east/west.

The amended plat will require the property owner to prepare cross access and parking agreements that will need to be recorded along with the amended subdivision plat. In addition, storm water agreements will also need to be addressed as the existing drainage system will impact both lots.

RECOMMENDATION:

The Planning Commission approved this application.

SUBMITTED BY:

Steve Lehman, Current Planning Manager

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

**AN ORDINANCE APPROVING THE AMENDMENT OF LOT 2A
OF THE SHOPPES AT LAKE PARK PHASE 2
SUBDIVISION LOCATED IN WEST VALLEY CITY UTAH.**

WHEREAS, the City is in receipt of petition S-9-2016, proposing an amendment to lot 2A of the Shoppes at Lake Park Phase 2 Subdivision located at approximately 2927 South 5600 West; and

WHEREAS, the purpose for the application is to divide the existing lot into 2 individual lots; and

WHEREAS, proper notice was given and a public hearing was held pursuant to Section 10-9a-207, Utah Code Annotated; and

WHEREAS, the City Council finds that after the public hearing, that there is good cause for the plat amendment, and that neither the public nor any person will be materially injured by the proposed plat amendment and that the approval is in the best interest of the health, safety and welfare of the citizens of West Valley City; and

NOW THEREFORE, BE IT ORDAINED by the City Council of West Valley City, State of Utah, as follows:

Section 1. The amendment to lot 2A of the Shoppes at Lake Park Phase 2 Subdivision located at approximately 2927 South 5600 West and as shown in Petition No. S-9-2016, is hereby approved.

Section 2. This Ordinance shall have no force or effect on any rights-of-way or easements of any lot owner, and the franchise rights of any public utilities shall not be impaired thereby, nor shall it have any force or effect on any holders of existing franchises, water drainage pipelines, or other such uses as they may presently exist under, over or upon said property or as are or may be shown on the official plats and records of Salt Lake County.

Section 3. The City Recorder is hereby directed to record this Ordinance with the Salt Lake County Recorder's Office.

Section 4. This Ordinance shall become effective immediately upon posting as required by law.

PASSED AND APPROVED this _____ day of _____ 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

S-9-2016

**The Shoppes at Lake Park Phase 2 – Amending Lot 2A
2927 South 5600 West
C-2 Zone**

BACKGROUND

Derek Gasser is requesting a plat amendment for lot 2A of the Shoppes at Lake Park Phase 2 Subdivision. The purpose for the amendment is to create two lots from the existing amended lot.

STAFF/AGENCY CONCERNS:

There are no staff or agency concerns with this application.

ISSUES:

The Shoppes at Lake Park Phase 2 Subdivision was recorded with the Salt Lake County Recorder's Office in June 2007. In April 2012, lots 2 and 3 were amended by consolidating them into one lot known as lot 2A.

The property owner has expressed a desire to re-subdivide this property to allow one or both portions of the existing building to be sold independent of each other. In order to do so, the property will once again comprise 2 lots. However, the configuration of the lot line will be north/south, whereas the original property line was east/west.

There are no major staff or agency concerns with this application as they have been addressed as part of the original subdivision application. Furthermore, the existing building and site improvements have been reviewed and approved by the Planning Commission in conjunction with the 5600 West Overlay Zone.

However, there is one item that will need to be addressed as a result of the amended plat. The property owner will need to prepare cross access and parking agreements that will need to be recorded along with the amended subdivision plat. In addition, storm water agreements will also need to be addressed as the existing drainage system will impact both lots.

Plat amendment applications require that the Planning Commission forward a recommendation on to the City Council. Once reviewed and approved by the Council, the amended plat will be recorded to add a new property line creating 2 separate lots.

STAFF ALTERNATIVES:

- A. Approval of the amendment to lot 2A of the Shoppes at Lake Park Phase 2 Subdivision.
- B. Continuance to allow for more discussion regarding the application.

Motion: Commissioner Fuller motioned to approve S-9-2016.

Commissioner McEwen seconded the motion.

Roll call vote:

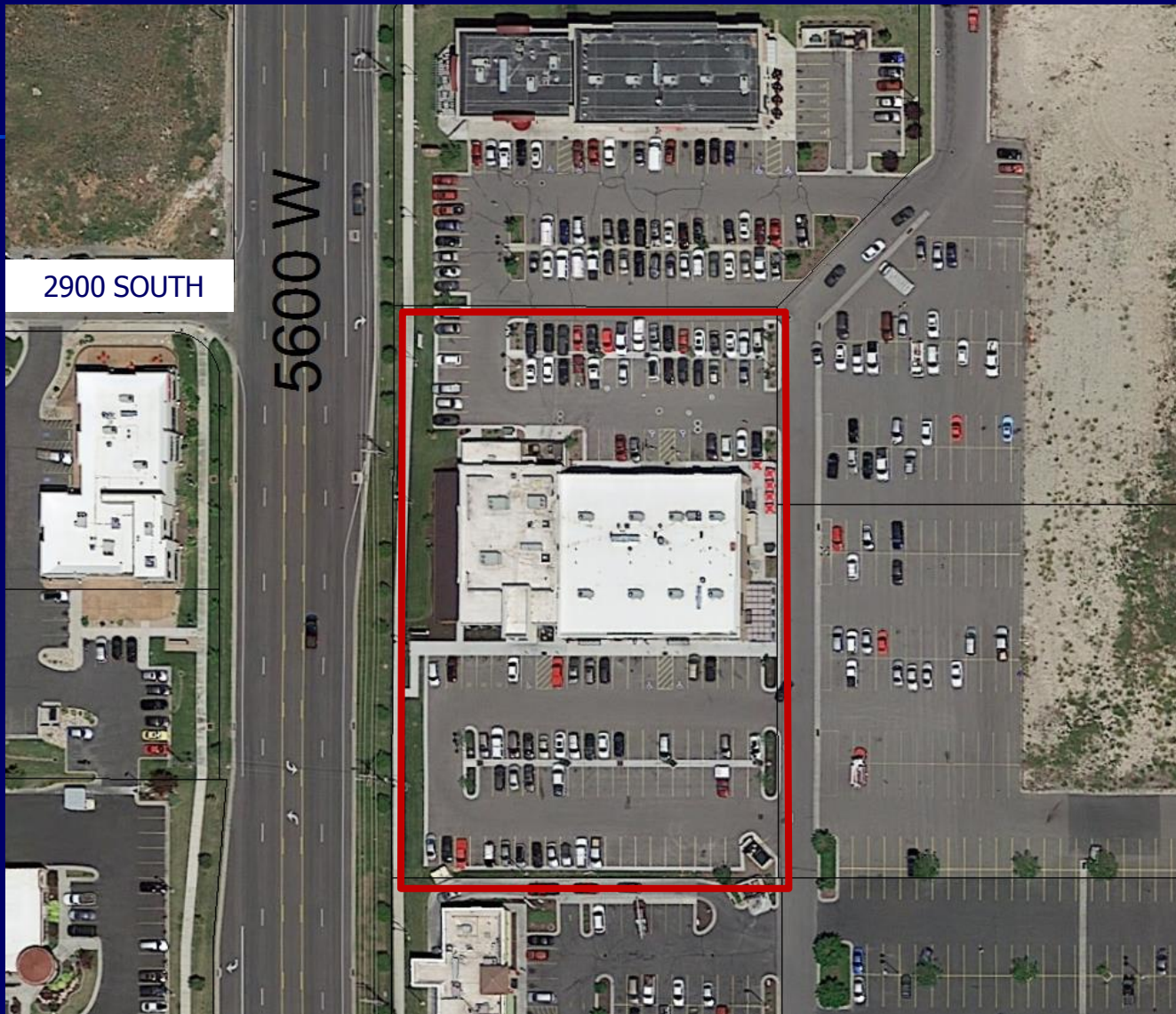
Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Tupou	Yes
Commissioner Woodruff	Yes

Unanimous - S-9-2016 - Approved

S-9-2016 Petition by **DEREK GASSER** requesting a **plat amendment** for lot 2A of the Shoppes at Lake Park Phase 2 Subdivision. The purpose for the amended subdivision is to divide lot 2A to create an additional lot. The subdivision consists of two lots on 1.8 acres, is located at approximately 2927 South 5600 West, and is zoned C-2. (Staff - **Steve Lehman** at 801-963-3311)



S-9-2016 Petition by **DEREK GASSER** requesting a **plat amendment** for lot 2A of the Shoppes at Lake Park Phase 2 Subdivision. The purpose for the amended subdivision is to divide lot 2A to create an additional lot. The subdivision consists of two lots on 1.8 acres, is located at approximately 2927 South 5600 West, and is zoned C-2. (Staff - **Steve Lehman** at 801-963-3311)



(AMENDING LOT 2A, AND CREATING LOT 2B) LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN WEST VALLEY CITY, UTAH

I, Travis J. Daley, do hereby certify that I am Professional Land Surveyor, and that I hold certificate No. 6387184 as prescribed under laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have consolidated said tract of land into one lot, hereafter to be known as

BOUNDARY DESCRIPTION

BEGINNING at a point on the East right of way line of 5600 West Street (SR-172), which is 968.36 feet North 00°06'35" West along the Section line and 67.00 feet North 89°53'25" East (basis of bearings is North 00°06'35" West 2643.61 feet measured between the West Quarter Corner and the Northwest Corner of said Section 25) from the West Quarter Corner of Section 25, Township 1 South, Range 2 West, Salt Lake Base and Meridian and running thence North 00°06'35" West 339.6 feet to the East-south-east corner of the North 90°00'00" West 229.68 feet; thence South 00°07'19" East 339.96 feet; thence North 90°00'00" West 229.76 feet to the POINT OF BEGINNING. Containing 78093 sq.ft., or 1.793 acres.

Know all by these presents that we (I), the undersigned owner(s) of the described tract of land hereon, having caused the same to be consolidated into one lot, hereafter be known as

In witness whereof, we have set our hand this _____ Day of _____, 2016

By: Stephen K. Christensen
Manager

[illegible]

----- Notary Public

My Commission Expires_____

A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 25,
TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN
WEST VALLEY CITY, UTAH

VICINITY MAP
NO SCALE

NA



- NOTES:

1. Offset pins to be placed in the back of curb at lot line extensions, and 5/8"x24" rebar with numbered survey cap to be placed at all rear corners prior to occupancy.
2. The Recorded Plat of the Shoppes at Lake Park Phase II Granted blanket cross-access, parking, utility and drainage easement over all parking, drive and landscape areas of each lot in favor of all other lots in the subdivision.
3. Benchmark used is the West Quarter Corner of Section 25 as shown hereon
Elevation = 4255.06

PREPARED BY:



LEGEND ENGINEERING, LLC
52 WEST 100 NORTH
HEBER CITY, UT 84032
PHONE: 435-654-4828
TOLL FREE FAX: 1-866-310-9972
www.legendengineering.com

PLANNING COMMISSION

SALT LAKE VALLEY HEALTH DEPARTMENT

APPROVED AS TO FORM THIS _____ DAY
OF _____, AD _____

APPROVED THIS _____ DAY OF _____
AD _____

CHAIRMAN, WEST VALLEY CITY
PLANNING COMMISSION

SALT LAKE VALLEY HEALTH DEPARTMENT

GRANGER-HUNTER IMPROVEMENT DISTRICT

APPROVED THIS _____ DAY OF _____ AD

IMPROVEMENT DISTRICT COORDINATOR

WEST VALLEY CITY ENGINEER

APPROVED THIS _____ DAY OF _____
AD _____

WEST VALLEY CITY ENGINEER

CITY ATTORNEY

APPROVED AS TO FORM THIS _____
DAY OF _____
AD _____, AND IS HEREBY APPROVED.

WEST VALLEY CITY ATTORNEY

WEST VALLEY CITY COUNCIL

PRESENTED TO THE WEST VALLEY CITY COUNCIL THIS _____
DAY OF _____ A.D. 2016, AT WHICH TIME THIS SUBDIVISION
WAS APPROVED AND ACCEPTED

ATTEST: CITY RECORDER

WEST VALLEY CITY MANAGER

SALT LAKE COUNTY RECORDER

STATE OF UTAH, COUNTY OF SALT LAKE, RECORDED AND FILED AT THE
REQUEST OF

DATE _____ TIME _____ BOOK _____ PAGE _____

\$ _____
FEES

SALT LAKE COUNTY RECORDER



FOR LEASE
CALL 800-848-2640



Item: _____
Fiscal Impact: _____ N/A
Funding Source: _____ N/A
Account #: _____ N/A
Budget Opening Required: ☐

ISSUE:

Application: #Z-2-2016
Applicant: Ken Milne
Location: 3702 South 6400 West
Size: 25.36 acres

SYNOPSIS:

Change zone from 'A' (Agriculture, minimum lot size ½ acre) to 'RE' (Residential Estate).

BACKGROUND:

Ken Milne has requested a zone change on six parcels totaling 25.36 acres at 3702 South 6400 West from A (agriculture, minimum lot size of ½ acre) to RE (residential estate). Surrounding zones include A to the west; R-1-8 to the north; R-1-10, R-1-8 and A-2 to the east and R-1-10 and A to the south. The property is surrounded by agricultural ground to the west, single family homes to the north and east and agricultural ground and a developing new 10,000 square foot lot subdivision to the south. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan. The General Plan also indicates the need for a park in this area.

The applicant has submitted a concept plan, which is attached, that shows the subject property being subdivided into 58 lots yielding a density of 2.3 units/acre. The Parks Department has indicated that there is a need for park in this area that is at least 1 acre in size. The development agreement associated with this application includes provisions for a 1 acre park.

The applicant has also submitted 6 renderings of homes that are representative of the quality of the homes that would be built here. The exact plans to be built on the property have not been developed yet.

RECOMMENDATION:

The Planning Commission recommends approval.

SUBMITTED BY:

Steve Pastorik, Assistant CED Director

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____

Date Adopted: _____

Effective Date: _____

**AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A
CHANGE OF ZONE FOR PROPERTY LOCATED AT 3702 SOUTH 6400
WEST FROM ZONE 'A' (AGRICULTURE, MINIMUM LOT SIZE ½
ACRE) TO 'RE' (RESIDENTIAL ESTATE).**

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in application #Z-2-2016, filed by Ken Milne at 3702 South 6400 West is hereby reclassified from zone 'A' (Agriculture, minimum lot size ½ acre) to 'RE' (Residential Estate), said property being more particularly described as follows:

Parcel #: 14-34-251-003 (portion of)

BEGINNING AT A POINT ON THE LINE COMMON WITH THE SOUTH LINE OF ORCHARD HILLS PHASE 2 AND THE NORTH LINE OF THE NEWTON SUBDIVISION SAID POINT BEING NORTH 0°01'12" EAST 1319.95 FEET AND SOUTH 89°58'01" WEST 1370.92 FEET TO AND ALONG SAID COMMON LINE FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 2°07'00" EAST 121.68 FEET TO THE SOUTH LINE OF LOT 1 OF SAID NEWTON SUBDIVISION; THENCE SOUTH 89°58'01" WEST 211.76 FEET ALONG THE SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 1, NEWTON SUBDIVISION; THENCE NORTH 0°01'59" WEST 121.60 FEET ALONG THE WEST LINE TO THE NORTHWEST CORNER OF SAID LOT 1, NEWTON SUBDIVISION AND BEING A LINE COMMON WITH ORCHARD HILLS PHASE 2; THENCE

NORTH 89°58'01" EAST 207.34 FEET ALONG SAID COMMON LINE TO THE POINT OF BEGINNING. CONTAINS 25,481 SQUARE FEET. 0.585 ACRES

Parcel #: 14-34-251-011

LOT 2, NEWTON SUBDIVISION. LESS & EXCEPT BEG AT SE COR LOT 2, NEWTON SUB; S 0°01'59" E 16.43 FT; S 89°47' W 141.43 FT; N 2°07' W 138.58 FT; N 89°58'01" E 146.47 FT; S 0°01'59" E 121.60 FT TO BEG.

Parcel #: 14-34-276-026

COM 732 FT N FR E 1/4 COR SEC 34, T 1S, R 2W, SL MER, W 120 FT; N 73 FT; E 120 FT; S 73 FT TO BEG. LESS STREET. 0.15 AC.

Parcel #: 14-34-276-049

BEG 1144.1 FT N & 175 FT W FR E 1/4 COR OF SEC 34, T 1S, R 2W, S L M; S 33 FT; W 39 FT; N 33 FT; E 39 FT TO BEG. ALSO BEG 1320 FT N FR E 1/4 COR OF SD SEC 34; W 340 FT; S 209 FT; W 209 FT; N 209 FT; W 495.86 FT; S 365 FT; E 834.96 FT; N 49.1 FT; W 128 FT 10 INS; N 77 FT; E 124 FT; N 63 FT; E 39 FT; N 115.9 FT; E 175 FT; N 60 FT TO BEG. LESS STREET ALSO BEG 1004.1 FT N & 214.01 FT W FR E 1/4 COR OF SD SEC 34; W 124 FT; N 77 FT; E 124 FT; S 77 FT TO BEG. 6.34 AC M OR L

Parcel #: 14-34-276-062

PARCEL A, NEWTON INVESTMENTS SUB.

Parcel #: 14-34-276-064

BEG N 660 FT & W 995.7 FT FR E 1/4 COR OF SEC 34, T1S, R2W, SLM; N 295 FT; W 49.15 FT; N 147.2 FT; W 115 FT; S 25.4 FT; W 60 FT M OR L; S 0°01'59" E 16.43 FT; S 89°47' W 141.43 FT; N 2°07' W 16.41 FT M OR L; W 216.61 FT; N 243.2 FT; W 402.07 FT; S 660 FT; E 104.13 FT M OR L; N 69 FT; E 54 FT; E'LY ALGA 15 FT RADIUS CURVE TO L23.56 FT (CHD S 45°00'00" E 21.21 FT); SE'LY ALG A 827 FT RADIUS CURVE TO R 178.44 FT (CHD S 83°49'07" E 178.09 FT); SE'LY ALG A 773 FT RADIUS CURVE TO L166.79 FT (CHD S 83°49'07" E 166.46 FT); E 9.08 FT; S 16.9 FT; E 459.7 FT M OR L TO BEG. 11.14 AC M OR L.

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

**Z-2-2016 MINUTES
WEST VALLEY CITY PLANNING COMMISSION MEETING
APRIL 13, 2016**

ZONE CHANGE APPLICATION

Z-2-2016

Ken Milne

3702 South 6400 West

A to RE

25.36 acres

Ken Milne has requested a zone change on six parcels totaling 25.36 acres at 3702 South 6400 West from A (agriculture, minimum lot size of ½ acre) to RE (residential estate). For reference, staff has included a copy of the RE Zone standards. Surrounding zones include A to the west; R-1-8 to the north; R-1-10, R-1-8 and A-2 to the east and R-1-10 and A to the south. The property is surrounded by agricultural ground to the west, single family homes to the north and east and agricultural ground and a developing new 10,000 square foot lot subdivision to the south. The subject property is designated as large lot residential, which anticipates 2 to 3 units/acre, in the West Valley City General Plan. The General Plan also indicates the need for a park in this area.

Development Proposal

The applicant has submitted a concept plan, which is attached, that shows the subject property being subdivided into 58 lots yielding a density of 2.3 units/acre. Also shown on the concept plan is a 0.54 acre park. As a reminder, a concept plan is included to give the Commission an idea of the potential number of lots and to show how the property could be developed. Generally speaking, concept plans have not been engineered, meaning that storm drainage, topography and utilities have not been accounted for. For this reason, concept plans are subject to change.

The Parks Department has indicated that there is a need for park in this area that is at least 1 acre in size. Staff has discussed this with the applicant and he is willing to work this into the concept plan assuming agreeable terms can be reached. The terms for the transfer of land would need to be worked out in the development agreement. Examples of the terms include when the ground would be transferred, who would improve the park, who is responsible for the road improvements adjacent to the park, etc. Should the City pursue a 1+ acre park here, staff recommends that this be accomplished by allowing some lots to be between 10,000 and 12,000 sq. ft. through a development agreement while maintaining the same number of lots. As an alternative, it is possible that the City could acquire other nearby property for the park.

Development Agreement

A development agreement is required for this project. Section 7-14-105 (3)(q) of the West Valley City Zoning Ordinance states: "All new subdivisions involving a rezone of property, or a PUD, shall participate in a development agreement that addresses housing size, quality, exterior finish

materials, streetscapes, landscaping, etc. The standards outlined in Section 7-14-105 (3)(l)(iii) shall be used as a minimum in all development agreements to address housing quality and exterior finish materials. These standards may be increased for a PUD.”

The applicant has proposed the attached list of nine development agreement standards. Items 1, 2, 5, 6 and 8 are required in the RE Zone, the City’s housing standards or other ordinances. The remaining items, which are discussed below, are either additional requirements above City standards or, in one case, an exception to the standards.

- Item 3: Given the configuration of the property there are some lots, particularly on the east side of the property, where the lot depth is less than 100’. Since the City’s housing standards require larger homes, staff believes a 20’ rear setback is appropriate on lots where the depth is less than 100’.
- Item 4: While the RE Zone ordinance does require front yard landscaping and irrigation, it does not require the homebuilder to install it. The applicant is providing a \$1,000 landscape voucher for side and rear yard landscaping. While the ordinance requires landscaping to be installed within 6 months of occupancy, the proposal is to have landscaping installed prior to occupancy except for during the winter.
- Item 7: Concrete address plates are not required by ordinance.
- Item 9: Fencing is not required by ordinance.

The applicant has also submitted 6 renderings of homes that are representative of the quality of the homes that would be built here. The exact plans to be built on the property have not been developed yet.

In addition to the standards outlined in the proposed development agreement, this development, if approved, will be subject to the City’s single family home standards. For reference, these standards are summarized below:

- Minimum rambler size: 2,000 square feet
- Minimum multi-level size: 3,000 square feet
- Minimum garage size: 3 car (2 car allowed in certain instances)
- Exterior materials allowed: brick, stone and fiber cement siding
- Further material restrictions: fiber cement siding limited to 75 of exterior
- Minimum roof pitch: 6/12
- Minimum number of points required for a rambler from design features list: 250
- Minimum number of points required for a multi-level from design features list: 300
- Architectural shingles required

Staff Alternatives:

- Approval of the zone change to RE subject to a development agreement that includes the standards proposed by the applicant and the following additions by staff:
 - The development shall include a park that is at least 1 acre in area.
 - To accommodate the park, the minimum lot size shall be 10,000 square feet.
 - The average lot size shall be 15,000 square feet. In calculating the average, the

park property shall be included in the lot area. (The intent here is that the number of lots would be the same as if no park was included and the minimum lot size was 12,000 square feet.)

- Approval of the zone change to RE subject to a development agreement that includes the standards proposed by the applicant and the following additions by staff:
 - The minimum lot size shall be 12,000 square feet as outlined in the RE Zone.
 - A park will not be included.
- Continuance, for other reasons determined at the public hearing.

Applicant:

Ken Milne

P.O. Box 710

Riverton, UT 84020

Discussion: Steve Pastorik said this is the first application for the new RE zone. A park is needed in this general area and the developer is amenable to work with the City if they want to pursue a park in this subdivision. Chair Meaders asked Ken Milne how he feels about a park in the subdivision. Ken Milne said whether the park is ½ acre or one acre, he will have the same number of lots. He is amenable to that.

Lori Cannon, 6505 West 3635 South, congratulated the Planning Commission and City Staff for how great the City is looking. She is representing herself and other neighbors whose garages are downhill from the new subdivision. She is concerned about possible flooding and also decreased water pressure. She feels it would be a nice gesture to locate any second story homes toward the center of the subdivision, so she doesn't have neighbors peeking over her fence. She loves the idea of a park, but is concerned about lights and noise from a possible basketball court keeping neighbors awake at night.

Steve Pastorik said that if zoning is approved by the City Council, the Developer will look at the topography of the land to make sure drainage is handled on the site. The developer will work with Granger Hunter Water Improvement District to be sure there is adequate water pressure.

Lori Cannon likes the idea of ½ acre lots for residential estates. Steve Pastorik said that zoning is ½ acre under the A zone, but the RE zone lots will be smaller. No lot will be under 12,000 square feet, and the overall average will be 15,000 sq. ft. Clover Meaders asked if a home could be built on an agricultural lot. Steve Pastorik answered yes.

Bill Burke, 6400 W 3801 South, referred to a 1 acre lot that he owns that is not part of this application. Bill Burke offered to sell this property to the City to use for a park for the right price. Bill Burke is concerned about irrigation rights to his property. Steve Pastorik said that if zoning is approved, as part of the subdivision process, any irrigation rights of nearby property owners nearby will be maintained.

Jim Defay owns the property due south of the new subdivision at 3764 South 6400 West. He is concerned about irrigation water rights, water shed, and traffic problems. He feels that having only one access into the subdivision will cause traffic congestion.

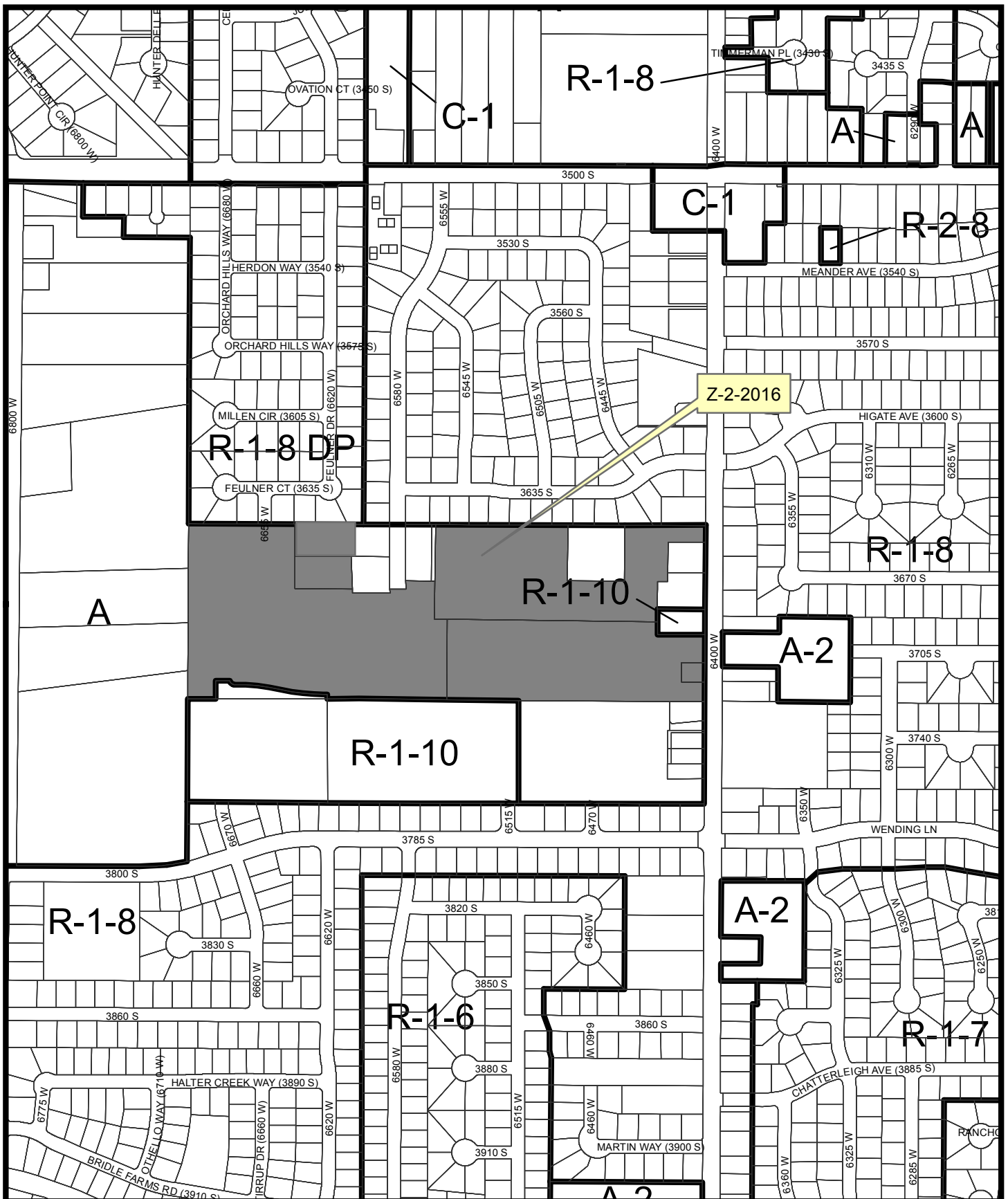
Motion: Commissioner Matheson moved to approve Z-2-2016 subject to the development agreement, adding that a park of at least 1 acre be included.

Commissioner Fuller seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner McEwen	Yes
Commissioner Meaders	Yes
Commissioner Tupou	No
Commissioner Woodruff	Yes

Majority – Z-2-2016 – Approved



0 245 490 Feet

Z-2-2016
Ken Milne
3702 South 6400 West



Z-2-2016 Petition by **KEN MILNE** requesting a **zone change** from A (Agriculture, minimum lot size ½ acre) to RE (Residential Estate). The property is located at 3702 South 6400 West on 25.36 acres. (Staff – **Steve Pastorik** at 801-963-3545)



Z-2-2016 Petition by **KEN MILNE** requesting a **zone change** from A (Agriculture, minimum lot size ½ acre) to RE (Residential Estate). The property is located at 3702 South 6400 West on 25.36 acres. (Staff – **Steve Pastorik** at 801-963-3545)



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Z-2-2016 Petition by **KEN MILNE** requesting a **zone change** from A (Agriculture, minimum lot size ½ acre) to RE (Residential Estate). The property is located at 3702 South 6400 West on 25.36 acres. (Staff – **Steve Pastorik** at 801-963-3545)

Exhibit B

Rambler



Z-2-2016 Petition by **KEN MILNE** requesting a **zone change** from A (Agriculture, minimum lot size ½ acre) to RE (Residential Estate). The property is located at 3702 South 6400 West on 25.36 acres. (Staff – **Steve Pastorik** at 801-963-3545)

Exhibit B

Two Storey



Item: _____
Fiscal Impact: _____ N/A
Funding Source: _____ N/A
Account #: _____ N/A
Budget Opening Required: ☐

ISSUE:

A resolution authorizing the City to enter into a development agreement with Arcadia Properties, LLC.

SYNOPSIS:

This resolution authorizes a development agreement between the City and Arcadia Properties, LLC to set standards for a new subdivision at 3702 S 6400 West.

BACKGROUND:

Ken Milne with Arcadia Properties, LLC has submitted a rezone application (Z-2-2016) to change 25.36 acres at 3702 S 6400 W from A (agriculture, minimum lot size ½ acre) to RE (residential estate). The proposed use for the subject property is a new single family home subdivision.

The proposed development agreement includes:

- Standards for landscaping that exceed ordinance requirements
- Standards for fencing that are not required by ordinance
- A rear yard setback reduction for lots with depths less than 100'
- Provisions that require the dedication of at least 1 acre for a park in exchange for City participation in the costs of the roads adjacent to the park, a reduction in the park impact fees and a reduction in lot size. The proposed reduction in lot size does not increase the number of lots but simply allows the same number of lots as if no park was provided.

RECOMMENDATION:

City staff and the Planning Commission recommend approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Assistant CED Director/Planning Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY TO ENTER
INTO A DEVELOPMENT AGREEMENT WITH ARCADIA
PROPERTIES LLC FOR APPROXIMATELY 25.36 ACRES
OF PROPERTY.**

WHEREAS, Arcadia Properties LLC (herein “Developer”) owns real property within the limits of West Valley City, Utah, on which Developer proposes to build new single family residences (herein the “Project”); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein “Agreement”); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City’s Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney’s Office.

PASSED, APPROVED and MADE EFFECTIVE this ____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein the “Agreement”) is entered into this _____ day of _____, 20____, by and between Arcadia Properties, LLC, a Utah limited liability company (herein “Developer”), for the land to be included in or affected by the project located as described in Exhibit “A” (the “Property”) in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the “City”).

RECITALS

WHEREAS, Developer owns approximately 25.36 acres of real property (located as described in Exhibit “A”) on which Developer proposes to establish minimum standards for a new residential housing development (the “Project”); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Agreement; and

WHEREAS, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City’s master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq.*, and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property.** The legal description of the Property contained within the Project boundaries is attached as Exhibit “A.” No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.

2. **Reserved Legislative Powers.** Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development,

transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards.** Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees, and compliance with the City's design and construction standards.

4. **Specific Design Conditions.** The Project shall be developed and constructed in accordance with the specific design conditions set forth in Exhibit "B". The Project shall also comply with all requirements set forth in the minutes of the Planning Commission and City Council hearings on this matter.

5. **Agreement to Run With the Land.** This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

7. **No Joint Venture, Partnership or Third Party Rights.** This Agreement neither creates any joint venture, partnership, undertaking or business arrangement between the parties hereto nor conveys any rights or benefits to third parties, except as expressly provided herein.

8. **Integration, Modification, and Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits "A" and "B" are hereby incorporated into this Agreement.

9. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER: Arcadia Properties, LLC
 Attn: Ken Milne
 P.O. Box 710
 Draper, Utah 84020

TO CITY: West Valley City
 Wayne Pyle, City Manager
 3600 Constitution Blvd.
 West Valley City, Utah 84119

WITH A COPY TO: West Valley City Attorney's Office
 Attn: Brandon Hill
 3600 Constitution Blvd.
 West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. **Choice of Law and Venue.** Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

11. **Court Costs.** In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney's fees.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM
WVC Attorney's Office

By: _____

Date: _____

DEVELOPER

By: _____

Its: _____

State of _____)

:ss

County of _____)

On this _____ day of _____, 2016, personally appeared before me _____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and affirmed that he is the _____ of _____, a limited liability company, and that said document was signed by him in behalf of said limited liability company by authority of its bylaws or a Resolution of its Board of Directors, and he acknowledged to me that said limited liability company executed the same.

Notary Public

EXHIBIT A

Legal Description

Parcel #: 14-34-251-003 (portion of)

BEGINNING AT A POINT ON THE LINE COMMON WITH THE SOUTH LINE OF ORCHARD HILLS PHASE 2 AND THE NORTH LINE OF THE NEWTON SUBDIVISION SAID POINT BEING NORTH 0°01'12" EAST 1319.95 FEET AND SOUTH 89°58'01" WEST 1370.92 FEET TO AND ALONG SAID COMMON LINE FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, AND RUNNING; THENCE SOUTH 2°07'00" EAST 121.68 FEET TO THE SOUTH LINE OF LOT 1 OF SAID NEWTON SUBDIVISION; THENCE SOUTH 89°58'01" WEST 211.76 FEET ALONG THE SOUTH LINE TO THE SOUTHWEST CORNER OF SAID LOT 1, NEWTON SUBDIVISION; THENCE NORTH 0°01'59" WEST 121.60 FEET ALONG THE WEST LINE TO THE NORTHWEST CORNER OF SAID LOT 1, NEWTON SUBDIVISION AND BEING A LINE COMMON WITH ORCHARD HILLS PHASE 2; THENCE NORTH 89°58'01" EAST 207.34 FEET ALONG SAID COMMON LINE TO THE POINT OF BEGINNING. CONTAINS 25,481 SQUARE FEET. 0.585 ACRES

Parcel #: 14-34-251-011

LOT 2, NEWTON SUBDIVISION. LESS & EXCEPT BEG AT SE COR LOT 2, NEWTON SUB; S 0°01'59" E 16.43 FT; S 89°47' W 141.43 FT; N 2°07' W 138.58 FT; N 89°58'01" E 146.47 FT; S 0°01'59" E 121.60 FT TO BEG.

Parcel #: 14-34-276-026

COM 732 FT N FR E 1/4 COR SEC 34, T 1S, R 2W, SL MER, W 120 FT; N 73 FT; E 120 FT; S 73 FT TO BEG. LESS STREET. 0.15 AC.

Parcel #: 14-34-276-049

BEG 1144.1 FT N & 175 FT W FR E 1/4 COR OF SEC 34, T 1S, R 2W, S L M; S 33 FT; W 39 FT; N 33 FT; E 39 FT TO BEG. ALSO BEG 1320 FT N FR E 1/4 COR OF SD SEC 34; W 340 FT; S 209 FT; W 209 FT; N 209 FT; W 495.86 FT; S 365 FT; E 834.96 FT; N 49.1 FT; W 128 FT 10 INS; N 77 FT; E 124 FT; N 63 FT; E 39 FT; N 115.9 FT; E 175 FT; N 60 FT TO BEG. LESS STREET ALSO BEG 1004.1 FT N & 214.01 FT W FR E 1/4 COR OF SD SEC 34; W 124 FT; N 77 FT; E 124 FT; S 77 FT TO BEG. 6.34 AC M OR L

Parcel #: 14-34-276-062

PARCEL A, NEWTON INVESTMENTS SUB.

EXHIBIT A

Legal Description (Continued)

Parcel #: 14-34-276-064

BEG N 660 FT & W 995.7 FT FR E 1/4 COR OF SEC 34, T1S, R2W, SLM; N 295 FT; W 49.15 FT; N 147.2 FT; W 115 FT; S 25.4 FT; W 60 FT M OR L; S 0°01'59" E 16.43 FT; S 89°47' W 141.43 FT; N 2°07' W 16.41 FT M OR L; W 216.61 FT; N 243.2 FT; W 402.07 FT; S 660 FT; E 104.13 FT M OR L; N 69 FT; E 54 FT; E'LY ALGA 15 FT RADIUS CURVE TO L23.56 FT (CHD S 45°00'00" E 21.21 FT); SE'LY ALG A 827 FT RADIUS CURVE TO R 178.44 FT (CHD S 83°49'07" E 178.09 FT); SE'LY ALG A 773 FT RADIUS CURVE TO L 166.79 FT (CHD S 83°49'07" E 166.46 FT); E 9.08 FT; S 16.9 FT; E 459.7 FT M OR L TO BEG. 11.14 AC M OR L.

EXHIBIT B

Development Standards

1. The minimum square footage of finished, above-ground, habitable floor space shall be 2,000 square feet for ramblers and 3,000 square feet for 2-story or multi-level homes, not including the garage.
2. Front setbacks shall be 30 feet, side setbacks shall be 10 feet, and rear setbacks shall be 30 feet. If the lot is less than 100' deep, the rear setback may be reduced to 20 feet.
3. Developer shall install street trees in the park strip as part of the landscaping package with the home. Trees shall be provided as follows: 3 trees for a standard lot, 1 tree for a cul-de-sac lot and 4 trees for a corner lot. Street tree variety and caliper size shall be determined by the City and the Developer during the subdivision approval process. Developer shall install front yard landscaping and irrigation for all homes. Front yard landscaping and irrigation shall include the necessary irrigation materials, sod, at least 5 one gallon plants, and 2 trees planted in the front yard. Developer shall also provide a \$1,000 landscape voucher to each homeowner for side and rear yard landscaping at the time of home construction. Landscaping shall be installed prior to the issuance of the certificate of occupancy. If construction is completed between October 1 and April 1, then the City will not release the landscaping bond until completion, but will issue a certificate of occupancy if all other applicable requirements are met.
4. The Developer shall dedicate to the City an amount of property sufficient to provide for at least a one acre park within the property described in Exhibit A. The exact location and shape of the park shall be determined during the preliminary plat review process. The park property shall be dedicated to the City on or before the date where no more than 75% of the total lots are recorded.
5. The minimum lot size shall be 10,000 square feet.
6. The average lot size for the development shall be 15,000 square feet. In calculating the average, the park property shall be included in the lot area.
7. The City will be responsible for all the park improvements, and shall pay the following costs associated with the roadway:
 - a. Half the cost of asphalt paving for the length of road directly adjacent to the park;
 - b. The cost of installation of curb, gutter, and sidewalk on the park side of the road;
and
 - c. The cost of a water and electric connection for the park.

EXHIBIT B

Development Standards (Continued)

8. In consideration of the park property, the park impact fee shall be reduced by 50% for all new homes.
9. An entry feature shall be provided at the main development entrance along 6400 West.
10. Concrete address plates shall be installed for each home. The same style of address plate shall be used throughout the development.
11. Residential street lights shall be installed throughout the development in accordance with Public Works standards.
12. Fencing shall be installed by the Developer on each home from the side of the home to the side property line. On corner lots, the fence shall be installed from the side of the home to the side property line and then all the way back to the back property line. The type of fencing to be installed shall be a 6' tall, solid (with no openings), vinyl fence. The style and color of the fence shall be determined by Developer. Fencing shall be installed prior to the issuance of a certificate of occupancy.

Item: _____
Fiscal Impact: _____ N/A
Funding Source: _____ N/A
Account #: _____ N/A
Budget Opening Required: ☐

ISSUE:

Application: #GPZ-3-2015
Applicant: Joe Colosimo
Location: 4500 South Constitution Boulevard
Size: 15.6 acres

SYNOPSIS:

A General Plan change from Non-Retail Commercial to Medium Density Residential and a zone change from 'A' (Agricultural) to 'RM' (Residential Multi-family).

BACKGROUND:

Joe Colosimo has submitted a General Plan/zone change application for a 15.6 acre parcel located at 4500 S 2700 W. The property is currently zoned A (agriculture, minimum lot size ½ acre) with a General Plan designation of Non-Retail Commercial. The proposed zone is RM (residential, multi-family) and the proposed General Plan designation is medium density residential (7 to 12 units/acre).

The applicant is planning to develop the property into a 98 unit senior condo project similar to other senior condo projects in the City like Valley Vu Villas, Hunter Villas, Reunion Woods and Majestic Villas. The "senior" designation means that 80% of the units must have at least one resident that is at least 55 years old. This provision would be included in the CC&R's and the HOA will be responsible for enforcement. The proposed density of the project is 6.3 units/acre.

By way of background, the General Plan designation on this parcel along with many other properties throughout the City were changed by the City in July of last year to encourage larger lots and higher value housing and to limit further multi-family residential. The subject property was changed from Residential Office, which included office uses as well as medium density residential, to Non-Retail Commercial which does not include residential. At the time this General Plan change was made the zoning ordinance was also amended to prohibit zone change applications to the RM Zone. However, in November of last year, the Council changed the zoning ordinance again to allow zone change applications to the RM Zone under certain conditions. The subject property is eligible for a zone change application to the RM Zone under the latest ordinance.

RECOMMENDATION:

The Planning Commission recommends approval subject to a development agreement.

SUBMITTED BY:

Steve Pastorik, Assistant CED Director

Colosimo's Application for General plan Amendment and Zone Change

- Current West Valley General Plan Classification: Non-Retail Commercial
- Current West Valley Zoning Classification: Agricultural
- General Plan change Request: Medium Density Residential
- Requested Zoning change: RM Zoning 12 units per Acre

This property is formerly owned by UDOT and abuts the Driving Range of the Drivers License Division. It is located at 4500 South Constitution Boulevard and consists of 15.61 Acres. It's currently zoned Agricultural and has small lot zoning directly west and to the north. On its Southwest corner sits High Density Residential (The Overlook Apartments) and due south and east is commercial and office. The general plan has been recently changed to Non-Retail commercial but previously before that changing the piece had a general plan designation of medium density.

I'm requesting to change the General plan classification and Zoning Classification to Medium Density Housing and a RM Zoning Respectively. The recent Ordinance amending Section 7-5-101 allows application if you have a property that sits on a 100 foot R.O.W, or be adjacent to existing multifamily residential development on two sides. This piece meets both of those requirements.

The fact that this property as recent as a year ago had a general plan classification of medium density housing gives me hope that it can be changed back.

Just some facts about the piece:

1. The proposed project would be self contained with an internal street network, all vehicular access would come off of 2700 west a major thorough fare in West Valley. The surrounding neighborhood would not have traffic dumping into the neighborhoods. My target market is 55 years and older and they do not generate has many traffic trips as a young couple with kids and many planned activities.
2. This piece would accommodate a transitional zoning from Office and Commercial to Medium Attached for sale product density, which I'm proposing, to medium density detached product on Small lots, to single family larger lots.
3. The ground sits somewhat in a hole with the properties to the west being 10-25 feet above our piece. With this topography our units will not obstruct the view of the pristine mountain range.
4. If you were to go onto the Zillow Real Estate website you would see that current home pricing in the surrounding neighborhoods ranges from 175-210. I'm proposing to bring a higher end product ranging from 275-310.
5. With my target market being 55 years and older I do not believe this project will add to the school population.
6. 2700 west can accommodate all the public utilities this project will require.
7. Attached is a Skeleton of a Development Agreement

February 17, 2016

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

**AN ORDINANCE AMENDING THE GENERAL PLAN TO SHOW A
CHANGE OF LAND USE FROM NON-RETAIL COMMERCIAL TO
MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT
4500 SOUTH CONSTITUTION BOULEVARD (2700 WEST) ON 15.6
ACRES.**

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed General Plan amendment pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such General Plan amendment should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah that the General Plan be amended as follows:

SECTION 1. GENERAL PLAN AMENDMENT.

The property described in Application #GPZ-3-2015, filed by Joe Colosimo and located at 4500 South Constitution Boulevard within West Valley City, is hereby amended by reclassifying the following described properties from Non-Retail Commercial to Medium Density Residential. Said property more particularly described as follows:

Parcel #21-04-329-015

BEG S 89°51'30" W 644.62 FT & N 0°01'42" W 53 FT & N
0°01'42" W 1266.98 FT & S 89°51'30" W 12.79 FT & N 0°01'42"
W 213.12 FT FR S 1/4 COR SEC 4, T2S, R1W, SLM; N 0°01'42" W
1117 FT; N 89°50'46" E 609.33 FT; S 0°00'48" W 1116.57 FT; S
89°48'19" W 608.52 FT TO BEG. 15.61 AC M OR L.

SECTION 2. GENERAL PLAN MAP AMENDMENT.

The West Valley City General Plan Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this ____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

WEST VALLEY CITY, UTAH

ORDINANCE NO. _____

Draft Date: _____
Date Adopted: _____
Effective Date: _____

**AN ORDINANCE AMENDING THE ZONING MAP TO SHOW A
CHANGE OF ZONE FOR PROPERTY LOCATED AT 4500 SOUTH
CONSTITUTION BOULEVARD FROM ZONE ‘A’ (AGRICULTURE) TO
‘RM’ (RESIDENTIAL MULTIFAMILY).**

WHEREAS, the West Valley City Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change pursuant to Chapter 9 of Title 10, Utah Code Annotated 1953, as amended, and the West Valley City Zoning Ordinance; and

WHEREAS, a public hearing before the City Council of West Valley City was held after being duly advertised as required by law; and

WHEREAS, the City Council of West Valley City finds that such zoning change should be made;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah:

SECTION 1. ZONING CHANGE.

The property described in Application #GPZ-3-2015, filed by Joe Colosimo and located at 4500 South Constitution Boulevard within West Valley City, is hereby classified from zone ‘A’ (Agriculture) to zone ‘RM’ (Residential Multifamily), said property more particularly described as follows:

Parcel #21-04-329-015

BEG S 89°51'30" W 644.62 FT & N 0°01'42" W 53 FT & N
0°01'42" W 1266.98 FT & S 89°51'30" W 12.79 FT & N 0°01'42"
W 213.12 FT FR S 1/4 COR SEC 4, T2S, R1W, SLM; N 0°01'42" W
1117 FT; N 89°50'46" E 609.33 FT; S 0°00'48" W 1116.57 FT; S
89°48'19" W 608.52 FT TO BEG. 15.61 AC M OR L.

SECTION 2. ZONING MAP AMENDMENT.

The West Valley City Zoning Map shall be amended to show the change.

SECTION 3. EFFECTIVE DATE.

This ordinance shall take effect immediately upon posting, as required by law.

DATED this _____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

GPZ-3-2015 MINUTES
MARCH 23, 2016 PLANNING COMMISSION PUBLIC HEARING

GENERAL PLAN/ZONE CHANGE APPLICATION

GPZ-3-2015

Joe Colosimo

4500 S 2700 W

General Plan change from non-retail commercial to medium density residential

Zone Change from A to RM

15.61 acres

Joe Colosimo has submitted a General Plan/zone change application for a 15.61 acre parcel located at 4500 S 2700 W. The property is currently zoned A (agriculture, minimum lot size ½ acre) with a General Plan designation of Non-Retail Commercial. The proposed zone is RM (residential, multi-family) and the proposed General Plan designation is medium density residential (7 to 12 units/acre).

Surrounding zones include R-1-8 (single family residential, minimum lot size 8,000 square feet) to the north, R-2-8 (residential duplex, minimum lot size 8,000 square feet) to the west, A to the south and PO (Professional Office) to the east in Taylorsville. Surrounding land uses include single family homes on 8,000+ square foot lots to the north, single family homes on lots averaging less than 5,000 square feet to the west, a State owned driver training course to the south and office buildings to the east in Taylorsville. Aside from animal use, the subject property is vacant.

The applicant is planning to develop the property into a 104 unit senior condo project similar to other senior condo projects in the City like Valley Vu Villas, Hunter Villas, Reunion Woods and Majestic Villas. The “senior” designation means that 80% of the units must have at least one resident that is at least 55 years old. This provision would be included in the CC&R’s and the HOA will be responsible for enforcement. The proposed density of the project is 6.7 units/acre. A concept plan is included with this report along with information from the applicant to support and further describe this application. Also included are elevations and a rendering of the proposed condo buildings. More details about the proposal are covered below under the development agreement discussion.

By way of background, the General Plan designation on this parcel along with many other properties throughout the City were changed by the City in July of last year to encourage larger lots and higher value housing. The subject property was changed from Residential Office, which allowed office uses as well as medium density residential, to Non-Retail Commercial.

In addition to the changes to the General Plan map, the City’s Zoning Ordinance was changed relative to zone change applications. Under the new ordinance, zone changes to the RM Zone can only be considered by the City if the following three conditions are met:

1. For properties without existing structures which are proposed to be developed, the property must be a minimum of two acres and the density must not exceed twelve units per acre. For properties with existing structures proposed to be redeveloped, there is no minimum acreage requirement, but the density must not exceed twenty units per acre.
2. The property shall either i) have access and frontage on a street with a planned right-of-way width of at least 80' (for properties under two acres) or 100' (for properties two acres or larger) as indicated on the Major Street Plan or ii) be adjacent to existing multi-family residential development on two sides.
3. A development agreement must be proposed with the zone change application that addresses dwelling unit sizes, exterior materials, architecture, landscaping, and project amenities.

This application meets the first condition in that the property is over two acres and the proposed density is below 12 units/acre. For the second condition, the subject property has access and frontage on 2700 West, which has a planned right-of-way width of 100'. On the third condition, the following was proposed by the applicant:

- Dwelling unit sizes: The senior condos will be between 1,500 and 1,800 square feet in area above grade.
- Exterior materials: Exterior materials will be fiber cement siding, stone or brick and up to 15% stucco.
- Architecture: The proposed architecture is portrayed in the attached elevations.
- Landscaping: Open space represents 49% of the site.
- Project amenities: Project amenities include 2 car garages for each unit; a clubhouse; a pool; consolidated open space; an entry feature; landscaping along 2700 West; a walking trail; outdoor patio space for each unit; an E-system for each unit that allows lights, locks and the thermostat to be controlled remotely via a mobile device; solar panels and post and panel concrete fencing around the entire perimeter.

As the Commission evaluates this application, there are essentially two questions to consider. The first question is are senior condos an appropriate use for this property. The second question is a follow up question to the first. If senior condos are an appropriate use, is the proposed quality sufficient to meet the goals of the City?

The points below may help the Commission answer the first question.

- There are no stub streets to the two adjoining residential developments to the north and west.
- The Salt Lake County Assessor shows home values in the \$170s for the neighboring subdivisions. According to the applicant, the proposed condos would sell for \$275,000 to \$310,000.
- 2700 W is a 100' right-of-way, five lane arterial street that is serviced by UTA bus route 227.

- Average annual daily traffic (AADT) on 2700 W for 2014 was 15,980. A five lane arterial can handle a traffic volume of 26,500 at a level of service (LOS) C and 30,500 at an LOS D. According to the Institute of Transportation Engineers, condos that are not aged restricted generate 5.81 trips per day. Condos that are age restricted generate 3.48 trips per day.

If the Commission believes that senior condos are appropriate here, the quality of the proposal should then be considered.

Dwelling Unit Sizes

While not as large as the minimum size required for single family detached homes, the proposed sizes for the units are comparable to other senior condo developments in the City.

Exterior Materials

The proposed materials meet the City's multi-family residential design standards.

Architecture

The architecture will be subject to the City's multi-family residential design standards. Assuming this application is approved, a comprehensive review of the building plans will verify compliance with the design standards. Based on a preliminary review of the elevations by staff, the proposed buildings seem to meet the design standards. For comparison, staff has included photos of other senior condo developments with this report. The latest rendering includes windows in the garage doors and an offset between garages. During the study session, covered entries were suggested as an additional enhancement to the front elevations. This suggestion was forwarded to the applicant.

Landscaping/Open Space

The condominium ordinance includes the following language: "Open space shall be provided and shall not be less than 50 percent of the site area in residential condominiums which contain multiple unit structures having three or more units per structure. Reduction may be made to this percentage of required open space by the Planning Commission and upon a showing that the open space in the site area will provide amenities; which will substantially meet the needs of future residents." The proposed amount of open space is 49%. For comparison, below are the open space percentages for the four existing senior condo developments within the City:

- Majestic Villas – 42%
- Reunion Woods – 43%
- Valley Vu Villas – 50%
- Hunter Villas – 50%

For the streetscape along 2700 West, the City's ordinance states: "Where a solid visual barrier fence over two feet in height is installed along a minor arterial or major arterial, the fence must be setback at least ten feet from the public sidewalk to allow space for landscaping." The City can approve a different standard via a development agreement.

The applicant's concept includes a 5' parkstrip with street lights and street trees, a 5' sidewalk and 5' of landscaping between the 6' wall and the sidewalk along 2700 West. Reducing the 10' required between the sidewalk and the wall to 5' would create more useable space on the west side of the wall. For reference, examples of landscaping and walls along other streets in the City are included with this report.

Project Amenities

The City's multi-family residential design standards require projects with 100 or more units to include at least six amenities from a list included in the ordinance. The following amenities are ones proposed by the applicant that count toward the six required: swimming pool, clubhouse, garages, fitness room, walking/exercise trail and private patios. Other amenities proposed by the applicant include solar panels, an E-system for each unit to be controlled by a cellular device and a roughly ½ acre open space area adjacent to the clubhouse.

Staff Alternatives:

1. Approval of General Plan/zone change subject to a development agreement that requires:
 - a. All of the commitments made by the applicant and
 - b. The following additions recommended by staff:
 - i. The minimum amount of open space shall be 49%.
 - ii. The wall along 2700 West shall be setback a minimum of 5' from the public sidewalk.
 - iii. The spacing and type of trees to be planted in the parkstrip shall be determined during the subdivision review process.
 - iv. The spacing and height of the streetlights in the parkstrip shall be determined during the subdivision review process.
 - v. The amount of solar panels to be installed shall be determined during the subdivision review process.
 - vi. The wall type along 2700 West shall be the Canyon Stone design presented by the applicant.
2. Continuance, for reasons determined during the public hearing.
3. Denial, the property should be developed as office as anticipated in the General Plan.

Applicant:

Joe Colosimo
155 West Malvern Avenue, Suite C
Salt Lake City, UT 84115

Discussion:

Joe Colossimo is excited to offer solar as an amenity. Auric Solar will install the solar panels. The solar panels should generate enough solar to power the clubhouse. There will be an electrical meter installed in case of cloudy days. Joe Colossimo said an E

system will be offered to control house locks and thermostats. A new product called Dwelo Smart Home Automation will be used to control cable tv and internet.

Commissioner Matheson asked how the grade changes on the property will be dealt with. Joe Colossimo said the current owner has brought in enough fill to mitigate the grade change. He will keep a geo tech on retainer to deal with engineering issues.

Joe Colossimo said there is a 20' sewer, water, and power easement on the north side of the property. He will have to chase sewer 1100 feet to the east, almost to I-215.

Commissioner Winters and Chair Meaders approve of the design and quality of the development and feel that senior condos are a good use for this property.

Motion: Commissioner Matheson motioned to approve GPZ-3-2015 subject to the six conditions listed in the staff report.

Commissioner Winters seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Lovato	Yes
Commissioner Matheson	Yes
Chair Meaders	Yes
Commissioner Winters	Yes

Unanimous – GPZ-3-2016 – Approved

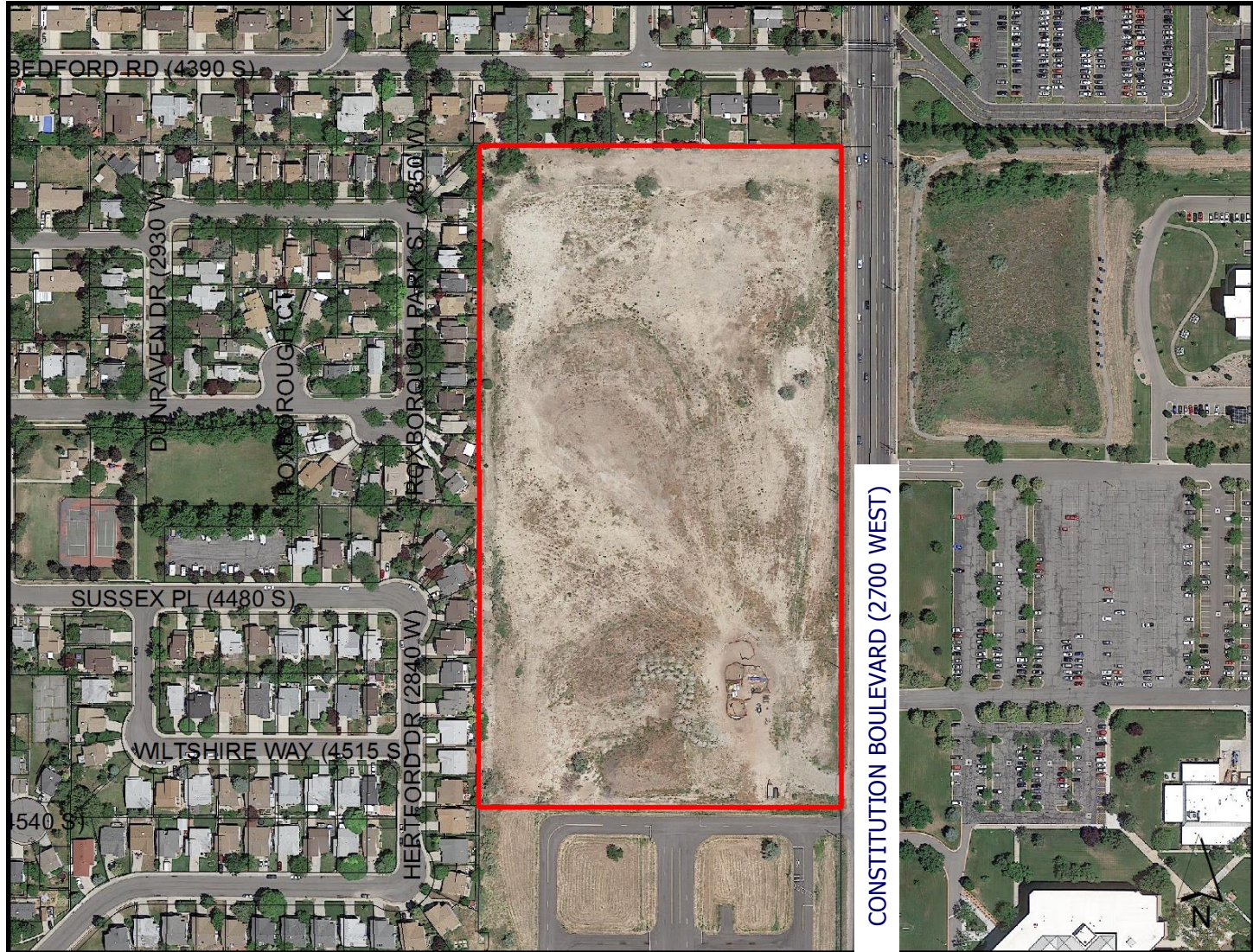




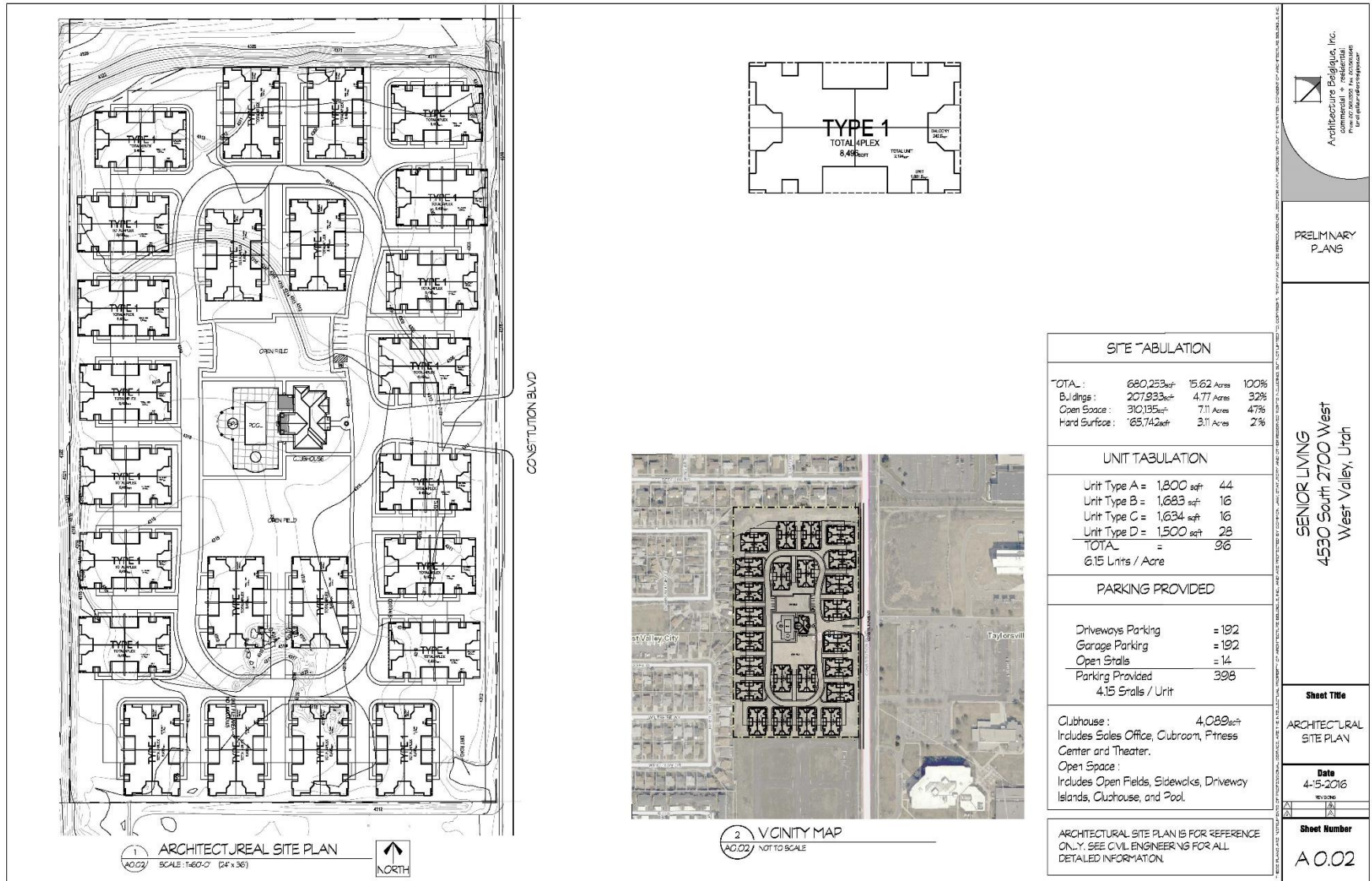
GPZ-3-2015 Petition by **JOE COLOSIMO** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Non-Retail Commercial to Medium Density Residential and a **zone change** from A (Agriculture) to RM (Residential Multi-Family). The property is located at 4500 South Constitution Blvd. (2700 W) on 15.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)



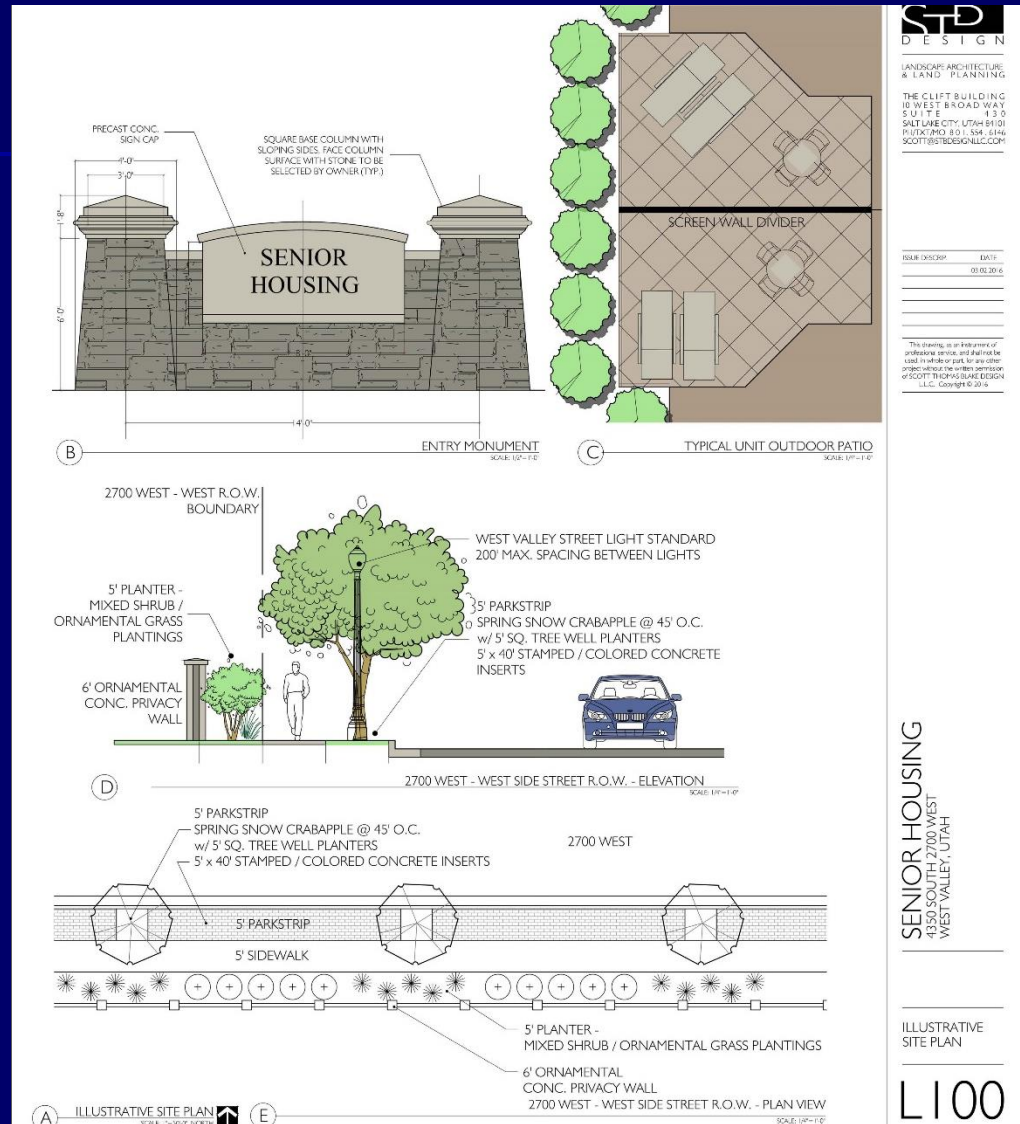
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Reunion Woods



GPZ-3-2015 Petition by **JOE COLOSIMO** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Non-Retail Commercial to Medium Density Residential and a **zone change** from A (Agriculture) to RM (Residential Multi-Family). The property is located at 4500 South Constitution Blvd. (2700 W) on 15.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)

Valley Vu Villas



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Majestic Villas

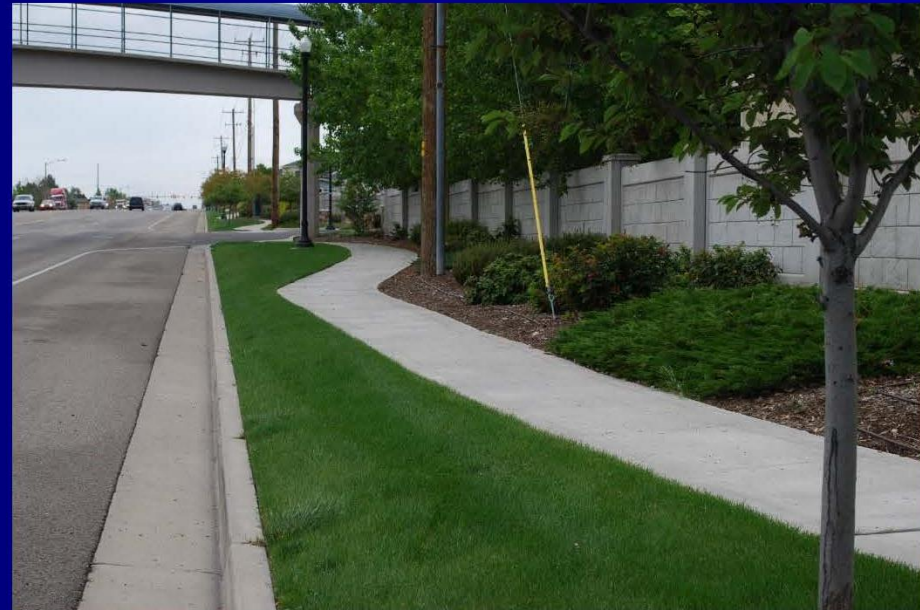


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Westridge Estates – Silver Valley Dr.
10' from curb to fence
0' from fence to sidewalk



Westridge Estates – 5600 West
20' from curb to fence
4' to 10' from fence to sidewalk



GPZ-3-2015 Petition by **JOE COLOSIMO** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Non-Retail Commercial to Medium Density Residential and a **zone change** from A (Agriculture) to RM (Residential Multi-Family). The property is located at 4500 South Constitution Blvd. (2700 W) on 15.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)

Stonegate – 3100 South
20' to 30' from curb to fence
6' to 15' from fence to sidewalk



Hunter Village – 3500 South
30' from curb to fence
12' to 22' from fence to sidewalk



GPZ-3-2015 Petition by **JOE COLOSIMO** requesting an **amendment to the General Plan** of West Valley City by reclassifying the following described property from Non-Retail Commercial to Medium Density Residential and a **zone change** from A (Agriculture) to RM (Residential Multi-Family). The property is located at 4500 South Constitution Blvd. (2700 W) on 15.6 acres. (Staff – **Steve Pastorik** at 801-963-3545)



Item: _____
Fiscal Impact: _____ N/A
Funding Source: _____ N/A
Account #: _____ N/A
Budget Opening Required: ☐

ISSUE:

A resolution authorizing the City to enter into a development agreement with Macky Farms, LLC.

SYNOPSIS:

This resolution authorizes a development agreement between the City and Macky Farms, LLC to establish minimum standards for a senior condo development at 4500 South 2700 West.

BACKGROUND:

Joe Colosimo has submitted an application (GPZ-3-2015) on 15.6 acres to change the zoning from A (agriculture, minimum lot size ½ acre) to RM (residential, multi-family) and to change the General Plan from non-retail commercial to medium density residential (7 to 12 units/acre). The Planning Commission recommended approval of the General Plan/zone change subject to a development agreement.

Below is a list of some of the main points from the development agreement.

1. No more than 98 senior condos will be built.
2. The condos will range in size between 1,500 sq. ft. to 1,800 sq. ft. and include 2 car garages for each unit.
3. The exteriors will be built as shown in the rendering.
4. Exterior materials will be brick or stone, fiber cement siding and up to 15% stucco.
5. A 6' precast concrete wall will be constructed around the perimeter.
6. Amenities will include a clubhouse, a pool, a hot tub, an entry feature, outdoor patio space for each unit, an E-system for each unit that allows lights, locks and the thermostat to be controlled remotely via a mobile device.

RECOMMENDATION:

The Planning Commission recommends approval to the City Council.

SUBMITTED BY:

Steve Pastorik, Assistant CED Director

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING THE CITY TO ENTER
INTO A DEVELOPMENT AGREEMENT WITH MACKY
FARMS, LLC FOR APPROXIMATELY 15.6 ACRES OF
PROPERTY LOCATED AT 4500 SOUTH 2700 WEST.**

WHEREAS, Macky Farms, LLC (herein “Developer”) owns real property within the limits of West Valley City, Utah, on which it proposes to build new townhomes (herein the “Project”); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding development agreement (herein “Agreement”); and

WHEREAS, Developer is willing to design and develop the Project in a manner that is in harmony with the City’s Master Plan and long-range development objectives, and which addresses the more specific planning issues set forth in this Agreement; and

WHEREAS, West Valley City, acting pursuant to its authority under §10-9a-101 *et seq.*, Utah Code Annotated 1953, as amended, and City ordinances and land-use policies, has made certain determinations with respect to the proposed Project, and in the exercise of its legislative discretion, has elected to approve this Agreement; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah, that the Agreement between West Valley City and Developer is hereby approved in substantially the form attached, and that the Mayor and City Manager are hereby authorized to execute said Agreement for and on behalf of the City, upon approval of the final form of the Agreement by the City Attorney’s Office.

PASSED, APPROVED and MADE EFFECTIVE this ____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (herein the “Agreement”) is entered into this _____ day of _____, 20____, by and between Macky Farms, LLC, a Utah limited liability company, (herein “Developer”) for the land to be included in or affected by the project located at approximately 4500 South 2700 West in West Valley City, Utah, and West Valley City, a municipal corporation and political subdivision of the State of Utah (herein the “City”).

RECITALS

WHEREAS, Developer owns approximately 15.6 acres of real property located at approximately 4500 South 2700 West in West Valley City, Utah, as described in Exhibit “A” (the “Property”), on which Developer proposes to establish minimum standards for a new senior housing development (the “Project”); and

WHEREAS, Developer has voluntarily represented to the West Valley City Council that it will enter into this binding Agreement; and

WHEREAS, Developer is willing to restrict the property in a manner that is in harmony with the objectives of the City’s master plan and long-range development objectives, and which addresses the more specific development issues set forth in this Agreement, and is willing to abide by the terms of this Agreement; and

WHEREAS, the City, acting pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act, U.C.A. §10-9a-101, *et seq.*, and its ordinances, resolutions, and regulations, and in furtherance of its land-use policies, has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **Affected Property**. The legal description of the Property contained within the Project boundaries is attached as Exhibit “A.” No additional property may be added to or removed from this description for the purposes of this Agreement except by written amendment to this Agreement executed and approved by Developer and the City.

2. **Reserved Legislative Powers.** Nothing in this Agreement shall limit the future exercise of police power by the City in enacting zoning, subdivision, development, transportation, environmental, open space, and related land-use plans, policies, ordinances and regulations after the date of this Agreement, provided that the adoption and exercise of such power shall not restrict Developer's vested rights to develop the Project as provided herein. This Agreement is not intended to and does not bind the West Valley City Council in the independent exercise of its legislative discretion with respect to such zoning regulations.

3. **Compliance with City Design and Construction Standards.** Developer acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all applicable laws and requirements of the City necessary for development of the Project, including the payment of fees, and compliance with the City's design and construction standards.

4. **Specific Design Conditions.** The Project shall be developed and constructed as set forth in the specific design conditions set forth in Exhibits "B" and "C". The Project shall also comply with all requirements set forth in the minutes of the Planning Commission and City Council hearings on this matter.

5. **Agreement to Run With the Land.** This Agreement shall be recorded in the Office of the Salt Lake County Recorder, shall be deemed to run with the Property, and shall encumber the same; and shall be binding on and inure to the benefit of all successors and assigns of Developer in the ownership or development of any portion of the Property.

6. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning also the responsibilities arising hereunder. This restriction on assignment is not intended to prohibit or impede the sale by Developer.

7. **No Joint Venture, Partnership or Third Party Rights.** This Agreement neither creates any joint venture, partnership, undertaking or business arrangement between the parties hereto nor conveys any rights or benefits to third parties, except as expressly provided herein.

8. **Integration, Modification, and Entire Agreement.** This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions, or understandings of whatever kind or nature and may only

be modified by a subsequent writing duly executed and approved by the parties hereto. Exhibits “A”, “B”, “C”, and “D” are hereby incorporated into this Agreement.

9. **Notices.** Any notices, requests, or demands required or desired to be given hereunder shall be in writing and should be delivered personally to the party for whom intended, or, if mailed by certified mail, return receipt requested, postage prepaid to the parties as follows:

TO DEVELOPER:

Macky Farms, LLC
Attn: Joe Colosimo
155 W. Malvern Ave., Suite C
Salt Lake City, UT 84115

TO CITY:

West Valley City
Wayne Pyle, City Manager
3600 Constitution Blvd.
West Valley City, Utah 84119

WITH A COPY TO:

West Valley City Attorney’s Office
Attn: Brandon Hill
3600 Constitution Blvd.
West Valley City, Utah 84119

Any party may change its address by giving written notice to the other party in accordance with the provisions of this section.

10. **Choice of Law and Venue.** Any dispute regarding this Agreement shall be heard and settled under the laws of the State of Utah. Any Utah litigation regarding this Agreement shall be filed in the Third District Court in Salt Lake City, Utah. Any federal litigation regarding this Agreement shall be filed in the United States District Court for the District of Utah in Salt Lake City, Utah.

11. **Court Costs.** In the event of any litigation between the parties arising out of or related to this Agreement, the prevailing party shall be entitled to an award of reasonable court costs, including reasonable attorney’s fees.

12. **Severability.** In the event any provision of this Agreement is held to be invalid or unenforceable, the remaining provisions shall remain valid and binding upon the parties. One or more waivers of any term, condition, or other provision of this Agreement by either party shall not be construed as a waiver of a subsequent breach of the same or any other provision.

IN WITNESS WHEREOF, the parties have executed this Agreement on the day and year first above written.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

APPROVED AS TO FORM
WVC Attorney's Office

By: _____

Date: _____

DEVELOPER

By: _____

Its: _____

State of _____)

:ss

County of _____)

On this _____ day of _____, 2016, personally appeared before me _____, whose identity is personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and affirmed that he is the _____ of _____, a limited liability company, and that said document was signed by him in behalf of said limited liability company by authority of its bylaws or a Resolution of its Board of Directors, and he acknowledged to me that said limited liability company executed the same.

Notary Public

EXHIBIT A

Legal Description

Parcel #: 21-04-329-015

BEG S 89°51'30" W 644.62 FT & N 0°01'42" W 53 FT & N 0°01'42" W 1266.98 FT & S 89°51'30" W 12.79 FT & N 0°01'42" W 213.12 FT FR S 1/4 COR SEC 4, T2S, R1W, SLM; N 0°01'42" W 1117 FT; N 89°50'46" E 609.33 FT; S 0°00'48" W 1116.57 FT; S89°48'19" W 608.52 FT TO BEG. 15.61 AC M OR L.

EXHIBIT B

Development Standards

1. The maximum number of units on the property shall be 98.
2. The minimum size for all units shall be 1,500 square feet above grade. The average size of units within the development shall be at least 1,675 square feet above grade.
3. Exterior materials for all units shall be brick or stone, fiber cement siding and up to 15% stucco.
4. All units shall have a 2 car garage.
5. All buildings shall be built substantially like the rendering in Exhibit C. All City multifamily design standards as set forth in the West Valley City Municipal Code shall apply. In the event that Exhibit C does not fully meet all applicable multifamily design standards, the rendering shall be updated and the buildings shall be constructed in accordance with the multifamily design standards.
6. At least 45% of the site shall be open space.
7. At least two different exterior color schemes shall be used to provide variety between buildings.
8. A 6' tall post and panel concrete wall shall be installed along the entire perimeter of the property. The style of the wall shall be the Canyon Stone design depicted in Exhibit D.
9. The wall along 2700 West shall be set back a minimum of 5' from the public sidewalk.
10. The parkstrip along 2700 West shall be comprised of stamped concrete, street trees planted in tree wells, and streetlights, all installed by Developer in accordance with this Agreement and the West Valley City Municipal Code. The spacing and type of trees to be planted in the parkstrip shall be determined during the subdivision review process. The spacing and height of the streetlights shall also be determined during the subdivision review process.
11. Solar panels shall be offered as an option for each unit.
12. Project amenities shall include a clubhouse with a fitness room, a pool, a hot tub, an entry feature, landscaping along 2700 West between the sidewalk and the wall, a walking trail, outdoor patio space for each unit, and an E-system for each unit that allows lights, door locks and the thermostat of each unit to be controlled remotely via a mobile device. The details of these amenities shall be determined during the subdivision review process.

EXHIBIT C
RENDERINGS

EXHIBIT D
WALL DESIGN

Item: _____

Fiscal Impact: _____

Funding Source: _____

Account #: _____

Budget Opening Required: ☐

ISSUE:

A resolution setting forth and reaffirming the City's commitment to fight housing insecurity and homelessness.

BACKGROUND:

Since its incorporation, West Valley City has been an inclusive community that seeks to offer a home to everyone who wishes to be a part of our community. The City is home to over 20,000 affordable housing units as part of the City's comprehensive effort to provide housing to individuals from all walks of life. The City's efforts have been particularly vigorous in assisting individuals struggling with homelessness and housing insecurity.

Recently, other communities have become similarly concerned about the issue of homelessness and have been seeking solutions to this problem. As the issue has been studied in detail, numerous public and private sector actors are reaching the conclusion that the kinds of efforts that the City has been embracing for thirty years are the long term solutions to homelessness and housing insecurity. These efforts include:

- 1) The City's commitment to permanent supportive housing, such as the Kelly Benson Apartments, which offers the best prospects for individuals struggling with chronic homelessness.
- 2) The City's tireless efforts to combat domestic violence and addiction through victim outreach, including the City's award winning victim advocate program and several housing developments throughout the City. Domestic violence and addiction are second only to a lack of affordable housing as a cause of homelessness.
- 3) The City's hosting of housing targeted to particular populations with specialized needs, such as individuals struggling with mental illness, juveniles and women, and veterans.
- 4) The City's commitment to the preservation and revitalization of neighborhoods, such as the Harvey Street project. The City's efforts at Harvey Street have resulted in a dramatic turnaround in an entire neighborhood and have offered hundreds of families the opportunity to enjoy safe, affordable, high quality housing.
- 5) The City's support of programs to help individuals in homes keep their homes, such as down payment and repair assistance programs.
- 6) The City's work to preserve the infrastructure of the City to encourage economic prosperity, effective planning, and a vision for the community, including economic development efforts and a commitment to inclusive, insightful, and integrated approaches to zoning and transportation.

This resolution expresses the City's support for other communities who are embracing similar solutions and reaffirms the City's efforts to continue to work toward our vision of an inclusive community.

RECOMMENDATION:

Approve the resolution.

WEST VALLEY CITY, UTAH

RESOLUTION NO. _____

**A RESOLUTION SETTING FORTH AND REAFFIRMING
WEST VALLEY CITY'S COMMITMENT TO FIGHT
HOUSING INSECURITY AND HOMELESSNESS.**

WHEREAS, housing insecurity and homelessness are important issues requiring the prompt attention of federal, state, and local government and of our citizens in order to ensure a sustainable, viable, livable, and desirable community; and

WHEREAS, studies show the leading cause of homelessness and housing insecurity is a lack of affordable housing; and

WHEREAS, West Valley City has understood this issue for many years and with an eye towards being inclusive and providing a place for all, West Valley City hosts over 20,000 affordable housing units that are in wonderful communities in our City and that reflect our commitment to maintaining habitable units in desirable areas and providing a housing mix that makes our community a great place to live; and

WHEREAS, West Valley City has demonstrated its commitment to providing housing to all within the City by proactively seeking to provide all levels and types of housing and has worked diligently for many years to assist especially those individuals struggling with homelessness and housing insecurity; and

WHEREAS, West Valley City has been acutely aware of the needs of and causes for homelessness and housing insecurity for over 30 years, the City has become expert in getting at the heart of these issues and providing successful long term solutions as demonstrated by its successful implementation of inclusive zoning, transportation and services; and

WHEREAS, West Valley City recognizes that second only to lack of affordable housing, domestic violence, mental illness, and addiction represent the next largest root causes of homelessness and housing insecurity; and

WHEREAS, West Valley City recognizes that by identifying the root causes, it has made significant impact on homelessness not just in the City but in the State and has become an important and integral provider of solutions to homelessness and housing insecurity; and

WHEREAS, West Valley City commends both the County and the State and many of our sister cities for recently taking up the effort in order to make a

difference in their communities; and

WHEREAS, West Valley City is committed to assisting these other entities in their efforts to understand and put into place those programs that will help them with their issues; and

WHEREAS, in an effort to fight homelessness and housing insecurity with an emphasis on targeting specific homeless populations, the City has taken the following actions:

- 1) The City has implemented an extensive victim advocate program that has served as the model for victim outreach in the state of Utah, consistently winning competitive state and national grants and providing services to over two thousand victims every year. The victim advocate program has offered a critical intervention for survivors of domestic violence and abuse, preventing countless individuals from being forced into homelessness.
- 2) The City has provided for the needs of disabled and senior citizens by hosting over 100 housing units in the Valley Fair Apartments, located in the heart of the City and accessible to mass transit, City parks, and the newest and most vital economic development projects in the City. The City has consistently promoted inclusive housing by facilitating development through zoning and by proactively identifying high quality housing developments and bringing them to the City.
- 3) The City dramatically improved the housing stock available to disabled citizens, senior citizens, and special needs residents through a wholesale renovation of the Harvey Street neighborhood, providing housing for 88 households at the Willow Park Apartments and 79 senior households at the Gerald Wright Villa. The City invested millions of dollars and partnered with public and private entities to build a sustainable, lasting community for individuals who were facing the threat of homelessness. The Willow Park Apartments and Gerald Wright Villa are now major assets to their neighborhood.
- 4) The City has approached the needs of the chronically homeless through permanent supportive housing provided through the Kelly Benson Apartments, which serves 59 households. The Kelly Benson Apartments host households who are coming directly from chronic homelessness and provide a permanent solution to the challenges they face in obtaining and maintaining housing. Despite considerable neighborhood opposition, the City worked strenuously to integrate the Kelly Benson Apartments into the neighborhood and to foster understanding and a positive relationship between the existing residents and the project. The Kelly Benson Apartments are now

among the best maintained housing units in the City and an integral part of the surrounding neighborhood.

- 5) The City has approached the needs of individuals struggling with mental illness at the Valley Crossroads and Valley Horizons apartments, which offer sustainable, supportive, and affordable housing to 40 households.
- 6) The City has always advocated for the rights of survivors of domestic violence and, in addition to the City's extensive victim advocate programs, has supported the Jared Allen Campbell Court apartment development, which offers 26 families supportive and affordable housing and which offers an alternative to the cycle of abuse.
- 7) The City has helped existing low income homeowners avoid foreclosure and maintain their investment in the City's neighborhoods through extensive home repair grants and low interest loans. These efforts have proactively stopped countless households from losing homes and maintained longstanding ties between homeowners and their neighborhoods and support systems.
- 8) The City is home to the Atherton Community Treatment Center, which offers support to 60 women who have been jailed or imprisoned and who are at risk for recidivism.
- 9) The City is also home to the Decker Lake Youth Center and the Family Support Center, which offer emergency and rehabilitative services to juveniles who are at risk for abuse, recidivism, and long-term, chronic homelessness.
- 10) The City is also home to an estimated 300 group homes which are by federal and state law permitted uses. These group homes provide services such as substance abuse recovery and mental health assistance and exist in nearly every neighborhood in the City.

WHEREAS, as set forth by experts in the field sustainable, affordable, and supportive housing solutions are to be preferred to short term shelter solutions, which are neither inviting to individuals struggling with homelessness nor afford the support that these individuals require and deserve and which do not ultimately work or solve the problem; and

WHEREAS, West Valley City provides over \$500,000 annually in direct funding to support emergency housing services, rental assistance, and similar programs to directly assist individuals and families who face a housing crisis; and

WHEREAS, West Valley City hosts higher concentrations of Section 8

voucher recipients, rental housing, federal tax credit housing, and public housing projects than the Salt Lake market average, further demonstrating the City's commitment to welcoming inclusive housing options; and

WHEREAS, West Valley City is one of two cities in Salt Lake County to host a full-service public housing authority, serving over twelve thousand individuals every year; and

WHEREAS, the Housing Authority of West Valley City provides housing services and financial assistance to all residents of the County, not just to the residents of West Valley City; and

WHEREAS, the Housing Authority distributes over three million dollars each year in housing assistance to the low income households most at risk for homelessness and provides funding to assist those facing housing insecurity; and

WHEREAS, West Valley City has worked to embrace the Collective Impact on Homelessness Steering Committee's goal of increasing income and financial stability by relentlessly promoting economic development and additional employment opportunities in West Valley City, both through the City's Redevelopment Agency and through business outreach efforts; and

WHEREAS, short sighted and ineffective solutions that focus on short term needs without addressing long range structural causes of homelessness and housing insecurity are unacceptable; and

WHEREAS, in an environment of limited resources and significant needs, efforts must be concentrated on solutions which offer long range, permanent contributions to eliminating homelessness and housing insecurity from our city and our state, focusing on high quality, sustainable, and affordable housing;

NOW, THEREFORE, BE IT RESOLVED by the City Council of West Valley City, Utah as follows:

- 1) The City Council declares that individuals struggling with homelessness and housing insecurity are our brothers and sisters, equally deserving of our respect. The City Council further declares that any policy, rhetoric, or decision which reinforces the stigma surrounding homelessness and which discourages permanent housing is inappropriate and unworthy of our attention and support.
- 2) The City Council formally declares its support for the efforts of the Salt Lake County Collective Impact on Homelessness Steering Committee and its recognition of the need for consensus and the agreement of all communities and we applaud the Salt Lake County

Mayor and Council for their efforts on this matter.

- 3) The City Council declares that homelessness and housing insecurity are challenges which touch every aspect of our City and every city. Accordingly, the City Council directs the City Manager to coordinate efforts among City departments and to ensure that every department in the City is furthering the City's efforts concerning these vital challenges.
- 4) The City Council directs staff to draft an ordinance establishing zoning to proactively encourage the development of permanent supportive housing in the City.
- 5) The City Council directs staff to study the possibility of renovating certain single family homes to offer families facing homelessness an attractive, permanent housing solution and to reinvigorate neighborhoods with aging housing stock.
- 6) The City Council directs staff to prepare an ordinance permitting the development of accessory dwelling units on appropriate properties to increase the availability of affordable housing in the City.
- 7) The City Council directs staff to pursue the development of additional affordable housing units in and around the City Center zone. The City Council further directs staff to ensure that these units are of the highest quality and that these units are managed and maintained at the highest level.

PASSED, APPROVED and MADE EFFECTIVE this ____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

Item #:	
Fiscal Impact:	None
Funding Source:	N/A
Account #:	N/A
Budget Opening Required:	No

ISSUE:

Amendment to Parking Easement Agreement with Pristine Alpine Entertainment

SYNOPSIS:

This amendment releases an inaccessible area of city-owned property from the parking easement in favor of Pristine Alpine Entertainment (PAE) at the USANA amphitheater.

BACKGROUND:

The area released from the easement is not currently used for parking. The existing terrain makes it inaccessible. There is no benefit to PAE to keep this land encumbered by the parking easement.

The release of this area from the easement will allow for realignment of the Mountain View Corridor shared use path on to City property. Safety and ride-ability of the trail will be improved with the realignment. After construction, the shared use path will be managed and maintained by the City.

RECOMMENDATION:

Approve amendment to parking easement agreement.

SUBMITTED BY:

Russ Willardson, Public Works Director

WEST VALLEY CITY, UTAH

RESOLUTION _____

**A RESOLUTION APPROVING AN AMENDMENT TO A
PARKING EASEMENT AGREEMENT WITH PRISTINE
ALPINE ENTERTAINMENT LLC, RELEASING A PORTION OF
THE EASEMENT IDENTIFIED AS EASEMENT 5 GENERAL
PARKING AREA.**

WHEREAS, on September 27, 2011, West Valley City (herein “the City”) and Pristine Alpine Entertainment LLC (herein “PAE”) entered into a Parking Easement Agreement (herein “the Agreement”); and

WHEREAS, the existing terrain makes the area inaccessible for parking; and

WHEREAS, there is no benefit to PAE to keep this land encumbered by the parking easement;
and

WHEREAS, an amendment to the Agreement has been prepared for execution by and between the City and PAE. This amendment, which is attached hereto and entitled “Amendment to Parking Easement Agreement and Release of a Portion of a Parking Easement” sets forth the rights, duties, and obligations of each of the parties thereto; and

WHEREAS, the City Council of West Valley City, Utah, does hereby determine that it is in the best interests of the health, safety, and welfare of the citizens of West Valley City to approve the amendment to the Agreement between West Valley City and PAE;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of West Valley City, Utah, that the attached amendment is hereby approved and the Mayor is authorized to execute said document for and in behalf of West Valley City, subject to approval of the final form of said document by the City Manager and City Attorney’s Office.

PASSED, APPROVED, and MADE EFFECTIVE this _____ day of _____, 2016.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER

When recorded Mail to:
West Valley City Recorder
3600 Constitution Blvd.
West Valley City, Utah 84119

Space above for County Recorder's use

PARCEL I.D. #20-11-302-003

**AMENDMENT TO PARKING EASEMENT AGREEMENT
AND RELEASE OF A PORTION OF A PARKING EASEMENT**

Pristine Alpine Entertainment, LLC, a Utah limited liability company, of 466 South 400 East #200, Salt Lake City, Utah 84113, hereby releases a portion of an easement identified as "EASEMENT 5 (GENERAL PARKING)" in that certain PARKING EASEMENT AGREEMENT by and between Pristine Alpine Entertainment, LLC, a Utah limited liability company and West Valley City, a Municipal Corporation of the State of Utah, recorded November 30, 2011 as Entry No. 11289092, in Book 9971 at Page 412 in the office of the Salt Lake County Recorder, said portion of the above referenced easement to be hereby released being described as follows:

PORTION OF EASEMENT 5 (GENERAL PARKING) TO BE RELEASED

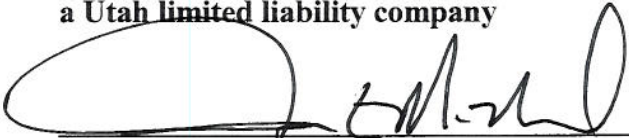
A tract of land located in the Southwest Quarter of Section 11, Township 2 South, Range 2 West, Salt Lake Base and Meridian, and being more particularly described as follows:

Beginning at the most northerly point of EASEMENT 5 (GENERAL PARKING) as described in that certain PARKING EASEMENT AGREEMENT, recorded as Entry No. 11289092 in the office of the Salt Lake County Recorder, said point also being 1920.00 feet N 89°35'27" W and 1,661.94 feet N 00°24'33" East from the South Quarter Corner of Section 11, Township 2 South, Range 2 West, Salt Lake Base and Meridian, and running thence S 15°57'52" E 150.84 feet; thence S 30°21'50" E 160.00 feet; thence S 36°47'51" E 220.00 feet; thence S 1°04'31" E 180.00 feet; thence S 21°34'19" W 160.00 feet; thence S 89°45'09" W 45.00 feet; thence N 41°03'58" W 250.00 feet; S 78°52'12" W 110.05 feet to the westerly boundary of West Ridge Commerce Park Phase 4, according to the official plat as recorded in Book 2008P at page 179 in the office of the Salt Lake County Recorder; thence 254.43 feet along said westerly boundary and along a non-tangent curve to the left having a radius of 3859.80 feet (chord bears N 14°07'03" W 254.38 feet) to the southeasterly right-of-way line and non-access line of the Mountain View Corridor, UDOT Project No. MP-0182(6); thence N 25°45'21" E 415.54 feet along said right-of-way line and non-access line a point on the westerly right-of-way line of Upper Ridge Road, said point being the POINT OF BEGINNING.

The above described tract encompasses 4.200 acres (182,963 sq. ft.), more or less.

IN WITNESS WHEREOF, Pristine Alpine Entertainment, LLC has executed this
AMENDMENT TO PARKING EASEMENT AGREEMENT AND RELEASE OF A PORTION
OF A PARKING EASEMENT, this 28th day of April, 2016.

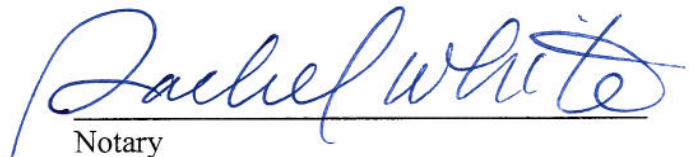
Pristine Alpine Entertainment, LLC,
a Utah limited liability company


James C. McNeil, Jr., Managing Member

STATE OF Utah)
COUNTY OF Salt Lake : ss.

On this 28th day of April, 2016, personally appeared before
me **James C. McNeil, Jr.**, whose identity is personally known to me or proved to me on the
basis of satisfactory evidence, and who affirmed that he is the **Managing Member** of **Pristine
Alpine Entertainment, LLC**, a Utah limited liability company, and that the within foregoing
instrument was signed on behalf of said limited liability company by authority of its members or
its articles of organization, and he acknowledged to me that said limited liability company
executed the same.




Notary

IN WITNESS WHEREOF, West Valley City has executed this AMENDMENT TO PARKING EASEMENT AGREEMENT AND RELEASE OF A PORTION OF A PARKING EASEMENT, this ____ day of _____, 2016.

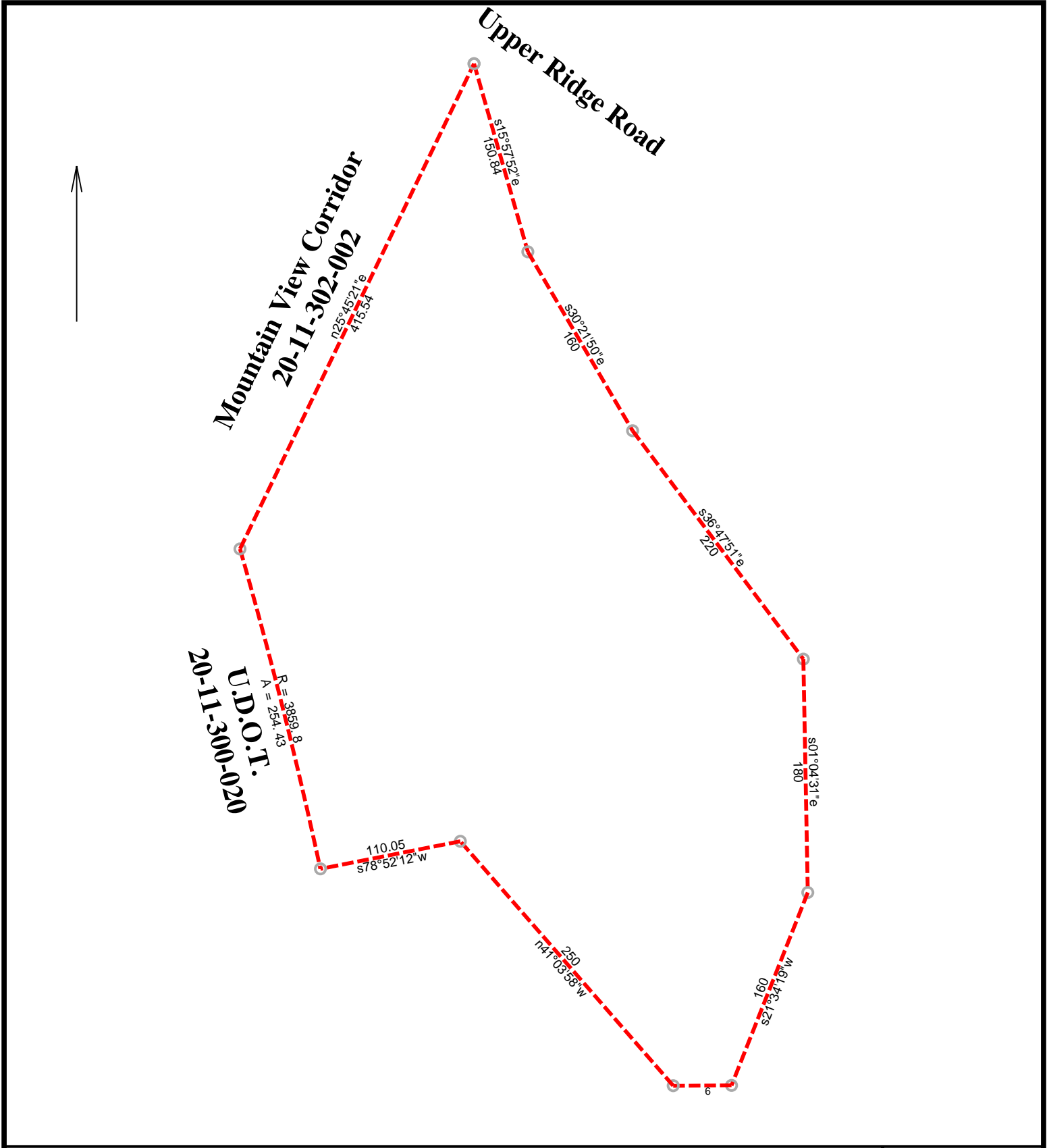
West Valley City, a municipal corporation of the State of Utah

Ron Bigelow, Mayor

State of _____)
:ss
County of _____)

On this _____ day of _____, 2016, personally appeared before me **Ron Bigelow**, whose identity is personally known to me or proved to me on the basis of satisfactory evidence, and who affirmed to me that he is the **Mayor of West Valley City, a Utah municipal corporation of the State of Utah**, and that this document was signed by him in behalf of said municipal corporation by authority of a Resolution of the West Valley City Council.

Notary Public



Portion of Easement 5 (General Parking) to be Released

3/29/2016

Scale: 1 inch= 100 feet

File:

Tract 1: 4.2003 Acres (182963 Sq. Feet), Closure: s23.2025w 0.01 ft. (1/353904), Perimeter=1946 ft.	
01 s15.5752e 150.84	08 s78.5212w 110.05
02 s30.2150e 160	09 Lt, r=3859.80, arc=254.43, chord=n14.0703w 254.38
03 s36.4751e 220	10 n25.4521e 415.54
04 s01.0431e 180	
05 s21.3419w 160	
06 s89.4509w 45	
07 n41.0358w 250	



May 5, 2016

MEMORANDUM

TO: CITY COUNCIL

FROM: WAYNE T. PYLE, CITY MANAGER

RE: UPCOMING MEETINGS AND EVENTS

City Council Study Meetings are held at 4:30 P.M. every Tuesday unless otherwise noted.

City Council Regular Meeting are held at 6:30 P.M. every Tuesday unless otherwise noted.

May

May 7, 2016 <i>Saturday</i>	Big Ass Show/ Death Cab for Cutie, 4:00 PM- USANA Amphitheatre, 5125 South 6400 West
May 10, 2016 <i>Tuesday</i>	Special RDA, HA, and BA Meetings Scheduled
May 12, 2016 <i>Thursday</i>	Youth Arts Festival, 5:00 P.M.-6:30 P.M.- Fairbourne Station, 2900 West Lehman Ave
May 14, 2016 <i>Saturday</i>	Fire Ops 101, 7:00 AM- 3:00 PM- Stansbury Elementary School, 3050 South 2700 West
May 14, 2016 <i>Saturday</i>	Glen Heather Neighborhood Clean-Up and Block Party, 4:00- 9:00 PM- Bello Avenue from Approximately 6970 West to Callao Drive
May 18, 2016 Other <i>Wednesday</i> Senior	Harman Heritage Series- Drops in a Bucket & Songs, 1:00 P.M.- 2:00 P.M. - Harman Recreation Center, 4090 South 3600 West

May 19, 2016 <i>Thursday</i>	My Place Economy Extended Stay Grand Opening, 11:00 AM to 2:00 PM- 3074 Decker Lake Drive
May 20, 2016 <i>Friday</i>	Free Movies in the Park (<i>Movie: Turbo</i>), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
May 24, 2016 <i>Tuesday</i>	Silent Hero Breakfast, 8:00 AM- 9:30 AM- Granite Education Foundation, 2500 S State Street- Five Story Building Room #D102
May 26, 2016 <i>Thursday</i>	Summer at the Station Concert
May 30, 2016 <i>Monday</i>	Memorial Day Holiday- City Hall Closed
May 31, 2016	No City Council Meetings- 5 th Tuesday

June

June 3, 2016 <i>Friday</i>	Free Movies in the Park (<i>Movie: Bee Movie</i>), Starts at Dusk (Approx. 9:30 PM)- Fairbourne Station, 2900 West Lehman Ave
June 7, 2016 <i>Tuesday</i>	RDA, HA, and BA Meetings Scheduled
June 9, 2016 <i>Thursday</i>	Summer at the Station Concert
June 9, 2016 <i>Thursday</i>	Slipknot with Marilyn Manson, 6:30 PM- USANA Amphitheatre, 5125 South 6400 West
June 13, 2016- June 24, 2016 <i>Thursday- Sunday</i>	WestFest- Centennial Park, 5405 West 3100 South
June 14, 2016 <i>Tuesday</i>	Steely Dan/Steve Winwood, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West

June 15, 2016 <i>Wednesday</i>	Harman Heritage Series- Art Alive! Stories Behind the Art, 1:00 P.M.- 2:00 P.M. - Harman Senior Recreation Center, 4090 South 3600 West
June 17, 2016 <i>Friday</i>	Free Movies in the Park (<i>Movie: TBD</i>), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
June 23, 2016 <i>Thursday</i>	Summer at the Station Concert
June 24, 2016 <i>Friday</i>	Jason Aldean, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West
June 25, 2016 <i>Saturday</i>	Boston, 7:30 PM, USANA Amphitheatre, 5125 South 6400 West
June 30, 2016 – July 4, 2016	Traveling Vietnam Memorial Replica “The Healing Wall”- Location TBD

July

July 4, 2016 <i>Monday</i>	Independence Day Holiday- City Hall Closed
July 7, 2016 <i>Thursday</i>	Summer at the Station Concert
July 8, 2016 <i>Friday</i>	Free Movies in the Park (<i>Movie: Madagascar 3</i>), Starts at Dusk (Approx 9:30 PM)- Fairbourne Station, 2900 West Lehman Ave
July 9, 2016 <i>Saturday</i>	Bret Michaels, 4:00 PM- USANA Amphitheatre, 5125 South 6400 west
July 10, 2016 <i>Sunday</i>	G-Eazy “Endless Summer Tour”, 6:30 PM- USANA Amphitheatre, 5125 South 6400 West
July 16, 2016 <i>Saturday</i>	The Piano Guys, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West
July 20, 2016	Korn & Rob Zombie, 7:30 PM- USANA

<i>Wednesday</i>	Amphitheatre, 5125 South 6400 West
July 21, 2016 <i>Thursday</i>	Keith Urban feat. Brett Eldredge, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West
July 21, 2016 <i>Thursday</i>	Summer at the Station Concert
July 25, 2016 <i>Monday</i>	Pioneer Day Holiday- City Hall Closed
July 26, 2016 <i>Tuesday</i>	Weezer/ Panic at the Disco, 7:00 PM- USANA Amphitheatre, 5125 South 6400 West
July 29, 2016 <i>Friday</i>	Florida Georgia Line, 7:00 PM- USANA Amphitheatre, 5125 South 5400 West
July 29, 2016 Dusk <i>Friday</i> West	Free Movies in the Park (<i>Movie: Rio</i>), Starts at (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South

August

August 2, 2016 <i>Tuesday</i>	National Night Out/ No City Council Meetings
August 4, 2016 <i>Thursday</i>	Summer at the Station Concert
August 12, 2016 <i>Friday</i>	Free Movies in the Park (<i>Movie: Kung Fu Panda 3</i>), Starts at Dusk (Approx. 9:30 PM)- Centennial Park, 5415 West 3100 South
August 18, 2016 <i>Thursday</i>	Summer at the Station Concert
August 20, 2016 <i>Saturday</i>	Josh Groban with Special Guest Sarah McLachlan, 7:30 PM- USANA Amphitheatre, 5125 South 6400 West

August 21, 2016
USANA
Sunday Journey and The Doobie Brothers, 7:00 PM-
Amphitheatre, 5125 South 6400 West

August 26, 2016
Friday 5 Seconds of Summer, 7:00 PM- USANA
Amphitheatre, 5125 South 6400 West

August 27, 2016
Saturday Lynyrd Skynyrd, 8:00 PM- USANA Amphitheatre,
5125 South 6400 West

August 29, 2016
USANA
Monday Heart, Cheap Trick, and Joan Jett, 6:30 PM-
Amphitheatre, 5125 South 6400 West

August 30, 2016
No Council Meetings- 5th Tuesday

September

September 2, 2016
Friday The Dixie Chicks, 7:00 PM- USANA Amphitheatre,
5125 South 6400 West

September 5, 2016
Monday Labor Day Holiday- City Hall Closed

September 11, 2016
Sunday Black Sabbath, 7:30 PM- USANA Amphitheatre,
5125 South 6400 West

September 16, 2016
Friday Def Leppard with REO Speed Wagon and Tesla,
7:00 PM- USANA Amphitheatre, 5125 South 6400
West

September 17, 2016
Saturday Dirks Bentley, TBD- USANA Amphitheatre, 5125
South 6400 West

September 22, 2016
Thursday Blink 182, 7:00 PM- USANA Amphitheatre, 5125
South 6400 West

September 30, 2016
Friday Luke Bryan, 5:00 PM- USANA Amphitheatre, 5125
South 6400 West

October

October 1, 2016
Saturday

Luke Bryan, 5:00 PM- USANA Amphitheatre, 5125
South 6400 West

October 4, 2016
Tuesday

RDA, HA, and BA Meetings Scheduled

October 13, 2016
Thursday

Brantley Gilbert, TBD- USANA Amphitheatre, 5125
South 6400 West

November

November 11, 2016
Friday

Veteran's Day Holiday

November 24, 2016
Thursday

Thanksgiving Holiday- City Hall Closed

November 29, 2016

No Council Meetings- 5th Tuesday

December

December 27, 2016

No Council Meetings- Christmas